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[*on the report of the Third Committee (A/72/435)*]

72/245. Rights of the child

The General Assembly,

Reaffirming the importance of its resolution 44/25 of 20 November 1989, by which it adopted the Convention on the Rights of the Child,[1] which constitutes the standard in the promotion and protection of the rights of the child, reaffirming also that States parties to the Convention shall undertake all appropriate legislative, administrative and other measures for the implementation of the rights recognized therein, while bearing in mind the importance of the Optional Protocols to the Convention[2] and calling for their universal ratification and effective implementation, as well as that of other human rights instruments,

Reaffirming also all of its previous resolutions on the rights of the child, the most recent of which was resolution 71/177 of 19 December 2016,

Recalling all other relevant resolutions, including resolutions 71/167 of 19 December 2016 on trafficking in women and girls, 71/168 of 19 December 2016 on intensifying global efforts for the elimination of female genital mutilation, 71/170 of 19 December 2016 entitled "Intensification of efforts to prevent and eliminate all forms of violence against women and girls: domestic violence", 71/175 of 19 December 2016 on child, early and forced marriage, and 71/176 of 19 December 2016 on protecting children from bullying,

Reaffirming the Universal Declaration of Human Rights,[3] which proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind,

[1] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[2] Ibid., vols. 2171 and 2173, No. 27531, and resolution 66/138, annex.
[3] Resolution 217 A (III).

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Recalling the International Covenant on Civil and Political Rights,[4] the International Covenant on Economic, Social and Cultural Rights,[4] the Convention on the Rights of Persons with Disabilities,[5] the International Convention for the Protection of All Persons from Enforced Disappearance,[6] the 1951 Convention relating to the Status of Refugees[7] and the 1967 Protocol thereto,[8] the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[9] the United Nations Convention against Transnational Organized Crime[10] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[11] the Convention on the Elimination of All Forms of Discrimination against Women,[12] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[13] and both the Minimum Age Convention, 1973 (No. 138),[14] and the Worst Forms of Child Labour Convention, 1999 (No. 182),[15] of the International Labour Organization,

Reaffirming that the general principles of the Convention on the Rights of the Child, including the best interests of the child, non-discrimination, participation and survival and development, provide the framework for actions concerning children,

Reaffirming also the Vienna Declaration and Programme of Action,[16] the United Nations Millennium Declaration[17] and the outcome document of the twenty-seventh special session of the General Assembly on children, entitled "A world fit for children",[18] recalling the Beijing Declaration and Platform for Action,[19] the Programme of Action of the International Conference on Population and Development[20] and the outcome documents of their review conferences, the Copenhagen Declaration on Social Development and the Programme of Action of the World Summit for Social Development,[21] the Declaration on Social Progress and Development,[22] the Universal Declaration on the Eradication of Hunger and Malnutrition,[23] the United Nations Declaration on the Rights of Indigenous Peoples[24] and the outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples,[25] the Declaration on the Right

[4] See resolution 2200 A (XXI), annex.
[5] United Nations, *Treaty Series*, vol. 2515, No. 44910.
[6] Ibid., vol. 2716, No. 48088.
[7] Ibid., vol. 189, No. 2545.
[8] Ibid., vol. 606, No. 8791.
[9] Ibid., vol. 2220, No. 39481.
[10] Ibid., vol. 2225, No. 39574.
[11] Ibid., vol. 2237, No. 39574.
[12] Ibid., vol. 1249, No. 20378.
[13] Ibid., vol. 1465, No. 24841.
[14] Ibid., vol. 1015, No. 14862.
[15] Ibid., vol. 2133, No. 37245.
[16] A/CONF.157/24 (Part I), chap. III.
[17] Resolution 55/2.
[18] Resolution S-27/2, annex.
[19] *Report of the Fourth World Conference on Women, Beijing, 4–15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.
[20] *Report of the International Conference on Population and Development, Cairo, 5–13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.
[21] *Report of the World Summit for Social Development, Copenhagen, 6–12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.
[22] See resolution 2542 (XXIV).
[23] *Report of the World Food Conference, Rome, 5–16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.
[24] Resolution 61/295, annex.
[25] Resolution 69/2.

to Development,[26] the Declaration of the commemorative high-level plenary meeting devoted to the follow-up to the outcome of the special session on children, held in New York from 11 to 13 December 2007,[27] the outcome document, entitled "The future we want", adopted at the United Nations Conference on Sustainable Development, held in Rio de Janeiro, Brazil, from 20 to 22 June 2012,[28] and the outcome document of the third Global Conference on Child Labour, held in Brasilia from 8 to 10 October 2013, and recalling also the World Congresses against Sexual Exploitation of Children and Adolescents, the Global Action Programme on Education for Sustainable Development[29] and the World Education Forum 2015, held in Incheon, Republic of Korea, from 19 to 22 May 2015,

Underscoring the importance of the implementation of the 2030 Agenda for Sustainable Development[30] in ensuring the enjoyment of the rights of the child,

Welcoming the work undertaken on a global compact on refugees and a global compact for safe, orderly and regular migration, to be considered for adoption in 2018, and recalling the importance of protecting the human rights and fundamental freedoms of all refugee and migrant children, with the best interests of the child as a primary consideration,

Taking note of the reports of the Secretary-General on progress made towards achieving the commitments set out in the outcome document of the twenty-seventh special session of the General Assembly[31] and on the status of the Convention on the Rights of the Child and the issues addressed in resolution 71/177,[32] as well as the report of the Special Representative of the Secretary-General on Violence against Children,[33] the report of the Special Representative of the Secretary-General for Children and Armed Conflict[34] and the joint report of the Special Rapporteur of the Human Rights Council on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, and the Special Rapporteur of the Council on trafficking in persons, especially women and children,[35] whose recommendations should be carefully studied, taking fully into account the views of Member States,

Reaffirming that States have the primary responsibility to respect, promote and protect all human rights and fundamental freedoms, including the rights of the child,

Acknowledging the important role played by national governmental and local structures for children, including, where they exist, ministries and institutions in charge of child, family and youth issues and independent ombudspersons for children or other national institutions for the promotion and protection of the rights of the child,

Recognizing that the family has the primary responsibility for the nurturing and protection of children, in the best interests of the child, and that children, for the full and harmonious development of their personality, should grow up in a family environment and in an atmosphere of happiness, love and understanding,

[26] Resolution 41/128, annex.
[27] Resolution 62/88.
[28] Resolution 66/288, annex.
[29] See A/69/76, annex, enclosure 2.
[30] Resolution 70/1.
[31] A/72/208.
[32] A/72/356.
[33] A/72/275.
[34] A/72/276.
[35] A/72/164.

Noting with appreciation the work to promote and protect the rights of the child carried out by all relevant organs, bodies, entities and organizations of the United Nations system, within their respective mandates, by relevant mandate holders and special procedures of the United Nations and by relevant regional organizations, where appropriate, and intergovernmental organizations, and recognizing the valuable role of national human rights institutions and civil society, including non-governmental organizations,

Noting the convening of international, regional and national meetings aimed at eliminating all forms of violence against children, including all violent punishment of children, and encouraging additional efforts in this regard,

Recognizing the importance of international, regional and bilateral multi-stakeholder partnerships and initiatives to advance the effective protection and promotion of the rights of the child and the elimination of violence against children, and in this regard taking note, inter alia, of the Global Partnership to End Violence against Children, the "High time to end violence against children" initiative, the Together for Girls partnership, the Global Alliance to Eradicate Forced Labour, Modern Slavery, Human Trafficking and Child Labour, the Global Youth Partnership for the Sustainable Development Goals, the Global Partnership on Children with Disabilities, the Global Coalition to Protect Education from Attack, the WeProtect Global Alliance to combat online child sexual exploitation and the Global Alliance for Reporting Progress on Promoting Peaceful, Just and Inclusive Societies,

Profoundly concerned that the situation of children in many parts of the world remains critical, in an increasingly globalized environment, as a result of the persistence of poverty, social inequality, inadequate social and economic conditions, pandemics, in particular HIV/AIDS, malaria, cholera and tuberculosis, fetal alcohol syndrome and inherited addictions, non-communicable diseases, lack of access to safe drinking water and sanitation, environmental damage, climate change, natural disasters, armed conflict, foreign occupation, displacement, famine, violence, terrorism, abuse, all forms of exploitation, including the commercial sexual exploitation of children, such as for purposes of child prostitution, child pornography and other child sexual abuse material, child sex tourism and trafficking in children, including for purposes of labour and sexual exploitation, organ removal and the transfer of organs of the child for profit, neglect, illiteracy, hunger, intolerance, discrimination, racism, xenophobia, gender inequality, inadequate protection and inadequate access to justice, and convinced that urgent and effective national and international action is called for,

Profoundly concerned also that the situation of children in many parts of the world remains negatively affected by the prolonged effects of the world financial and economic crisis, poverty and inequality, reaffirming that eradicating poverty in all its forms and dimensions, including extreme poverty, is the greatest global challenge and an indispensable requirement for sustainable development, recognizing its impact beyond the socioeconomic context and the intrinsic interlinkage between poverty eradication and the promotion of sustainable development, in this regard underlining the importance of the implementation of the 2030 Agenda for Sustainable Development, and recognizing that a strong focus is needed on poverty, deprivation and inequality to prevent and protect children from all forms of violence and to promote the resilience of children, their families and their communities,

Profoundly concerned further that children in many parts of the world remain negatively affected by the impacts of climate change, including persistent drought and extreme weather events, land degradation, sea level rise, coastal erosion and ocean acidification, which further threaten health, food security and efforts to eradicate poverty and achieve sustainable development, and in this regard calling for

the implementation of the Paris Agreement[36] adopted under the United Nations Framework Convention on Climate Change,

Expressing deep concern that, despite the recognition of the right of the child to express her or his views freely on all matters affecting her or him, with her or his views given due weight in accordance with the age and maturity of the child, children are still seldom seriously consulted and involved in such matters owing to a variety of constraints and impediments and that the full implementation of this right has yet to be fully realized,

Deeply concerned that children disproportionately suffer the consequences of discrimination, exclusion, inequality and poverty,

Deeply concerned also that approximately 5.6 million children under the age of 5 die each year,[37] mostly from preventable and treatable causes, owing to inadequate or lack of access to integrated and quality sexual, reproductive and maternal health-care services, as well as newborn and child health care and services, early childbearing and lack of access to health determinants, such as safe drinking water and sanitation, safe and adequate food and nutrition, including breastfeeding, and that mortality remains highest among children belonging to the poorest and most marginalized communities,

Recognizing that the risk of maternal mortality is highest for girls under 15 years of age and that complications in pregnancy and childbirth are a leading cause of death among girls under 15 years of age in many countries,

Expressing concern that children with disabilities face stigmatization, discrimination or exclusion and are disproportionately subjected to mental and physical violence and sexual abuse in all settings,

I
Implementation of the Convention on the Rights of the Child and the Optional Protocols thereto

1. *Reaffirms* paragraphs 1 to 5 of its resolution 71/177 and 1 to 10 of its resolution 68/147 of 18 December 2013, urges States that have not yet done so to consider acceding to the Convention on the Rights of the Child[1] and to the Optional Protocols thereto[2] as a matter of priority and to implement them effectively and fully, and encourages further efforts by the Secretary-General in this regard;

2. *Urges* States parties to withdraw reservations that are incompatible with the object and purpose of the Convention or the Optional Protocols thereto and to consider reviewing regularly other reservations with a view to withdrawing them in accordance with the Vienna Declaration and Programme of Action;[16]

II
Promotion and protection of the rights of the child and non-discrimination against children

Non-discrimination

3. *Reaffirms* paragraphs 6 to 10 of its resolution 71/177 and 11 to 14 of its resolution 68/147, and calls upon States to ensure the enjoyment by all children of all their civil, political, economic, social and cultural rights without discrimination of any kind;

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[36] See FCCC/CP/2015/10/Add.1, decision 1/CP.21, annex.

[37] See United Nations Children's Fund, "Levels and trends in child mortality, 2015" (available from www.unicef.org/publications/files/Child_Mortality_Report_2015_Web_9_Sept_15.pdf).

Registration, family relations, adoption and alternative care

4. *Reaffirms* paragraphs 11 and 12 of its resolution 71/177 and 15 to 19 of its resolution 68/147, and urges all States parties to intensify their efforts to comply with their obligations under the Convention on the Rights of the Child to preserve the identity of children, including their nationality, name and family relations, as recognized by law, to protect children in matters relating to birth registration, family relations and adoption or other forms of alternative care, recognizing that every effort should be directed to enabling children to remain in or swiftly return to the care of their parents or, when appropriate, other close family members and that, where alternative care is necessary, family and community-based care should be promoted over placement in institutions;

5. *Calls upon* States to take all measures necessary to prevent and combat illegal adoptions and all adoptions that are not in the best interests of the child;

Economic and social well-being of children

6. *Reaffirms* paragraphs 13 to 15 of its resolution 71/177 and 20 to 29 of its resolution 68/147, calls upon all States and the international community to create an enabling environment in which the well-being of the child is ensured, including by strengthening international cooperation in this field and by implementing their commitments, including the Sustainable Development Goals,[30] and reaffirms that investment in children, especially for early childhood development, has high economic and social returns and that all related efforts to ensure that resources allocated and spent for children, especially on children's education and health, should serve as a means for the fulfilment of the rights of the child;

Child labour

7. *Reaffirms* paragraphs 16 to 18 of its resolution 71/177 and 30 to 33 of its resolution 68/147, urges States to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour and to end child labour in all its forms, by 2025 at the latest, and to promote education as a key strategy, in this regard notes the convening of the Global Conference on the Sustained Eradication of Child Labour in Buenos Aires from 14 to 16 November 2017, and urges States to continue to promote the engagement of all sectors of society in creating an enabling environment for the eradication of child labour;

Promoting and protecting the rights of children, including children in particularly difficult situations

8. *Reaffirms* paragraphs 26 to 28 of its resolution 71/177 and 40 to 48 of its resolution 68/147, and calls upon all States to promote and protect all human rights of all children and to implement evidence-based programmes and measures that provide them with special protection and assistance, including access to inclusive and equitable quality education, health care and social services;

Migrant children

9. *Reaffirms* paragraphs 40 to 87 of its resolution 71/177, and calls upon States to effectively promote and protect the human rights and fundamental freedoms of all children affected by migration, regardless of their migration status, and to address international migration through international, regional or bilateral cooperation and dialogue and through a comprehensive and balanced approach, while recognizing the roles and responsibilities of countries of origin, transit and destination

in promoting and protecting the human rights of all children affected by migration and in avoiding approaches that might aggravate their vulnerability;

10. *Expresses* the commitment to protect the human rights of migrant children, given their vulnerability, in particular unaccompanied migrant children, to ensure that they receive appropriate protection and assistance and to provide for their health, education and psychosocial development, ensuring that the best interests of the child are a primary consideration in policies on integration, return and family reunification;

Children and the administration of justice

11. *Reaffirms* paragraphs 29 to 31 of its resolution 71/177 and 49 to 57 of its resolution 68/147, and calls upon all States to respect and protect the rights of child victims and witnesses and children alleged to have infringed or recognized as having infringed penal law, as well as children of persons alleged to have infringed or recognized as having infringed penal law, and to ensure that the arrest, detention or imprisonment of a child should be in conformity with the law and should be used only as a measure of last resort and for the shortest appropriate period of time;

12. *Encourages* continued regional and cross-regional efforts, the sharing of best practices and the provision of technical assistance in the field of juvenile justice;

Prevention and eradication of the sale of children, child prostitution and child pornography

13. *Reaffirms* paragraphs 32 of its resolution 71/177 and 58 of its resolution 68/147, and calls upon all States to prevent, criminalize, prosecute and punish all forms of the sale and trafficking of children, including for the purposes of removal of organs of the child, child slavery, forced labour and the sexual exploitation of children, including child prostitution and child pornography and other child sexual abuse material, with the aim of eradicating those practices, including when perpetrated using the Internet and other information and communications technologies, to combat the existence of a market that encourages such criminal practices and take measures to eliminate the demand that fosters them, as well as addressing the rights and needs of victims effectively, including universal access to comprehensive social, physical and mental health and legal services, without discrimination of any kind, and counselling for all victims to ensure their full recovery and reintegration into society, and to take effective measures against the criminalization of children who are victims of exploitation;

Children affected by armed conflict

14. *Reaffirms* paragraphs 33 to 39 of its resolution 71/177 and 59 to 70 of its resolution 68/147, condemns in the strongest terms all violations and abuses committed against children in armed conflict, and in this regard urges all States and other parties to armed conflict that are engaged, in contravention of applicable international law, in the recruitment and use of children, in patterns of killing and maiming of children and/or rape and other sexual violence against children, acknowledging that sexual violence in these situations disproportionately affects girls, but that boys are also targets, in recurrent attacks on schools and/or hospitals and related personnel, and in patterns of abduction of children, as well as in all other violations and abuses against children, to take time-bound and effective measures to end and prevent them, and to encourage age- and gender-specific support services, including psychological, social and sexual and reproductive health-care services and reintegration programmes, and notes in this regard the adoption of Security Council resolution 2225 (2015) of 18 June 2015;

15. *Underlines* that the needs of children, including rehabilitation and reintegration, should be fully considered in post-conflict and peacebuilding programmes and that the promotion and protection of the rights of children affected by armed conflict is crucial to break cycles of violence and prevent recurring conflicts;

16. *Calls upon* States to protect children affected by armed conflict, in particular from violations of international humanitarian law and human rights law, and to ensure that they receive timely, effective humanitarian assistance, noting the efforts taken to end impunity by ensuring accountability and punishing perpetrators, and calls upon the international community to hold those responsible for violations accountable, inter alia, through the International Criminal Court;

17. *Calls upon* States and regional and subregional organizations to mainstream the rights of the child into relevant activities in conflict and post-conflict situations with the aim of promoting peace and preventing and resolving conflict, as well as negotiating and implementing peace agreements and arrangements negotiated by parties to armed conflict;

18. *Recalls* that 2016 marked the twentieth anniversary of the adoption of resolution 51/77 of 12 December 1996, by which the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict was created, welcomes its achievements in protecting children affected by armed conflict, underlines the need for the Office of the Special Representative of the Secretary-General, in cooperation with States, United Nations bodies and agencies, regional organizations and especially subregional organizations, to enhance its public awareness activities, including by collecting, assessing and disseminating best practices and lessons learned, in accordance with the existing mandate, and notes with appreciation the efforts of the Secretary-General and United Nations bodies to implement the monitoring and reporting mechanism on children and armed conflict;

III
Violence against children

19. *Recalls* article 19 of the Convention on the Rights of the Child, in which States parties are required to take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child;

20. *Also recalls* the United Nations study on violence against children submitted to the General Assembly in 2006,[38] and notes with appreciation the efforts of the Special Representative of the Secretary-General on Violence against Children in continuing to mainstream the study recommendations in the international, regional and national agendas;

21. *Expresses deep concern* at the fact that every five minutes a child dies as a result of violence and that globally 1 billion children, between 2 and 17 years of age, experience physical, sexual, emotional or multiple types of violence, with an estimated 120 million girls and 73 million boys having been the victims of sexual violence at some point in their lives;

22. *Condemns* all forms of violence against children in all settings, including physical, mental, psychological and sexual violence, torture and other cruel, inhuman or degrading treatment, child abuse and exploitation, hostage-taking, domestic

[38] A/61/299.

violence, incest, trafficking in or sale of children and their organs, paedophilia, child prostitution, child pornography, child sex tourism, gang and armed violence, sexual exploitation of children online, bullying, including cyberbullying, and harmful practices, and urges States to strengthen efforts to prevent and protect children from all such violence through a comprehensive approach and to develop a multifaceted and systematic framework, which is integrated into national planning processes, to respond to violence against children;

23. *Calls upon* all States to implement the commitment to end abuse, exploitation, trafficking and all forms of violence against and torture of children, as set out in the 2030 Agenda for Sustainable Development;

24. *Urges* all States to exercise leadership to end all forms of violence against children in all settings and to support advocacy in this regard at all levels, including at the local, national, regional and international levels, and by all sectors, especially by political, community and religious leaders, as well as the public and private sectors, the media and civil society;

25. *Requests* relevant entities, agencies, funds and programmes of the United Nations system, in particular those that are members of the Inter-Agency Working Group on Violence against Children, to continue to explore ways and means, within their respective mandates, by which they can contribute more effectively to preventing and responding to all forms of violence against children;

26. *Expresses support* for the work of the Special Representative of the Secretary-General on Violence against Children, recognizes the progress achieved since the establishment of her mandate in promoting the prevention and elimination of all forms of violence against children in all regions and in advancing the implementation of the recommendations of the United Nations study on violence against children, including through her regional and thematic consultations and field missions and thematic reports addressing emerging concerns, and in this regard takes note of the recent reports entitled *Ending the Torment: Tackling Bullying from the Schoolyard to Cyberspace*,[39] *Protecting Children Affected by Armed Violence in the Community*[40] and *Safeguarding the Rights of Girls in the Criminal Justice System: Preventing Violence, Stigmatization and Deprivation of Liberty*;[41]

27. *Notes* the consolidated partnerships promoted by the Special Representative of the Secretary-General on Violence against Children, including the platform for dialogue and communication initiated and led by the Special Representative with regional organizations and institutions, to share knowledge and good practices, coordinate efforts, enhance synergies, identify trends and contribute to accelerating progress in protecting children from violence;

28. *Urges* all States to address the gender dimension of all forms of violence against children and incorporate a gender perspective in all policies adopted and actions taken to protect children against all forms of violence and harmful practices, including child, early and forced marriage and female genital mutilation, acknowledging that girls and boys face varying risks from different forms of violence at different ages and in different situations, including in schools;

29. *Stresses* the importance of taking an integrated and multifaceted approach based on the rights and well-being of children, and the best interests of the child as a primary consideration, when designing and implementing measures to protect children from all forms of violence;

[39] United Nations publication, Sales No. E.16.I.14.
[40] Ibid., Sales No. E.16.I.15.
[41] Ibid., Sales No. E.15.I.10.

30. *Emphasizes* that no child should be left behind and that States should pay particular attention to the protection of children who are marginalized or are in vulnerable situations or who face stigmatization, discrimination or exclusion and should ensure the enjoyment of all their human rights, without discrimination of any kind;

31. *Urges* all States to strengthen international cooperation and mutual assistance to prevent and protect children from all forms of violence and to end impunity for crimes against children;

32. *Encourages* States to consider accession to or ratification of The Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in respect of Parental Responsibility and Measures for the Protection of Children, of 19 October 1996;[42]

33. *Recalls* the importance of actively engaging with children and respecting their views in all aspects of prevention, response and monitoring of violence against them, taking into account article 12 of the Convention on the Rights of the Child;

34. *Expresses its concern* about situations of violence in communities worldwide, including violence linked to illegal arms trade, organized crime, drug-related crime and gang-related violence, putting the well-being and security of children at severe risk;

35. *Recognizes* that there has been significant progress at the international, regional and national levels in addressing violence against children since the submission of the United Nations study on violence against children, and calls upon all States to maintain and enhance their efforts to protect children from all forms of violence, in particular:

(a) To take effective and appropriate legislative and other measures to prohibit, prevent and eliminate all forms of violence against children in all settings, including harmful practices in all situations, and to strengthen international, national and local cooperation and mutual assistance in this regard;

(b) To respect fully the rights, human dignity and physical integrity of children and to prevent and address any psychological, mental, physical or sexual violence or any other humiliating or degrading treatment or punishment;

(c) To give priority attention to the prevention of all forms of violence against children and to addressing its underlying causes and its gender dimension through a systematic, comprehensive and multifaceted approach, recognizing that witnessing violence, including domestic violence, also causes harm to children;

(d) To develop a well-coordinated and well-resourced national strategy for the prevention and elimination of all forms of violence against children, including measures aimed at, inter alia, raising awareness, building the capacity of professionals working with and for children, supporting effective parenting programmes, fostering research, collecting data on the incidence of violence against children and developing and implementing appropriate national monitoring tools to periodically assess progress;

(e) To end impunity for perpetrators of crimes against children, to undertake thorough and prompt investigations of all acts of violence against children and to prosecute such acts of violence and impose appropriate penalties, recognizing that persons convicted of violent offences against children, including sexual abuse, who

[42] United Nations, *Treaty Series*, vol. 2204, No. 39130.

continue to pose a risk of harm to children should be prevented from working with children;

(f) To protect children from all forms of violence or abuse in all settings by all those who work with and for children, including in educational settings, in alternative care and residential care settings, and in international development activities and humanitarian relief work, as well as by government officials, such as the police, law enforcement authorities, employees and officials in detention centres or welfare institutions and health-care personnel;

(g) To establish and develop safe, well-publicized, confidential and accessible mechanisms to enable children or their representatives to seek counselling, to report violence against children and file complaints on incidents of violence and to ensure that children have access to such mechanisms;

(h) To develop coherent and coordinated protection systems and to provide universal access to quality comprehensive social, physical and mental health, including sexual and reproductive health, and legal and counselling services for all victims and survivors, to ensure their full recovery and reintegration into society, and to strengthen social welfare systems and effective service delivery for children affected by violence, in particular in the justice, education and health sectors;

(i) To strive to change attitudes that condone or normalize any form of violence against children, including cruel, inhuman or degrading forms of discipline, harmful practices and all forms of sexual violence;

(j) To continue to promote and invest in education, including as a long-term and lifelong process, by which everyone learns tolerance and respect for the dignity of others and the means and methods of ensuring such respect in all societies;

(k) To accelerate efforts to scale up scientifically accurate age-appropriate comprehensive education, relevant to cultural contexts, that provides adolescent girls and boys, young women and men, in and out of school, consistent with their evolving capacities, and with appropriate direction and guidance from parents and legal guardians, with information on sexual and reproductive health, gender equality and women's empowerment, human rights, physical, psychological and pubertal development and power in relationships between women and men, to enable them to build self-esteem and informed decision-making, communication and risk reduction skills and develop respectful relationships, in full partnership with young people, parents, legal guardians, caregivers, educators and health-care providers in order to protect them from violence;

36. *Expresses concern* at the persistent and growing challenges to eliminating all forms of violence against children, and urges States to intensify their efforts in this regard, and in particular:

(a) To adopt and strengthen, as appropriate, clear and comprehensive measures, including, where required, legislation, that seek to prevent and protect children from bullying and provide for safe and child-sensitive counselling and reporting procedures and safeguards for the rights of affected children;

(b) To strengthen the capacities of schools in early detection and response to prevent and respond to bullying, including cyberbullying, in particular initiatives to mobilize support to prevent and address this phenomenon, and to ensure that children are informed of any existing public policies to secure their protection;

(c) To take measures to promote constructive and positive forms of discipline and child development approaches in all settings, including the home, schools and other educational settings, and throughout care and justice systems, and to work

towards the elimination of all forms of violence against children, including violent forms of discipline;

(d) To adopt all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and human rights by taking all appropriate legislative, administrative, social and educational measures, in accordance with the best interests of the child, to protect the child from all forms of physical or psychological violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse in schools, and in this context to take measures to promote non-violent forms of discipline in schools;

(e) To accelerate efforts to develop, review and strengthen inclusive and gender-responsive policies, including by allocating adequate resources, to address the structural and underlying causes of violence against girls, to overcome gender stereotypes and negative social norms, to encourage the media to examine the impact of gender-role stereotypes, including those perpetuated by commercial advertisements, that foster gender-based violence, sexual exploitation and inequalities, to promote zero tolerance for such violence and to remove the stigma of being a victim and survivor of violence, thus creating an enabling and accessible environment where girls can easily report incidents of violence and make use of the services available, including protection and assistance programmes;

(f) To fully engage men and boys as agents and beneficiaries of change in the achievement of gender equality and the empowerment of women and girls and as allies in the prevention and elimination of violence against women and girls, including domestic violence;

(g) To condemn all harmful practices that affect girls, in particular female genital mutilation, whether committed within or outside a medical institution, and to take all measures necessary, especially through educational campaigns, including enacting and enforcing legislation, to prohibit female genital mutilation and to protect girls from this form of violence, and to hold perpetrators to account;

(h) To enact, enforce and uphold laws and policies aimed at preventing and ending child, early and forced marriage and protecting those at risk, to ensure that marriage is entered into only with the informed, free and full consent of the intending spouses and to amend relevant laws and policies to remove any provision that enables perpetrators of rape, sexual abuse or abduction to escape prosecution and punishment by marrying their victims;

(i) To take all measures necessary to ensure the full enjoyment by children with disabilities of all human rights and fundamental freedoms, on an equal basis with other children, to adopt, implement and strengthen appropriate policies and programmes designed to address their needs, with a focus on ending violence against children with disabilities, to ensure that programmes aimed at violence prevention and victim support are inclusive and accessible to children with disabilities, including by providing information in accessible formats, and to mainstream disability issues in training and information provided to professionals working on addressing violence against children;

(j) To enact and enforce the necessary legislative or other measures, in cooperation with relevant stakeholders, including the private sector and the media, to prevent the distribution over the Internet of child pornography, including depictions of child sexual abuse, ensuring that adequate mechanisms are in place to enable the reporting and removal of such material and that its creators, distributors and collectors are prosecuted, as appropriate, while working towards ensuring that the opportunities provided by information and communications technologies in the lives of children, as tools for learning, socialization, expression, inclusion and fulfilment of their rights

and fundamental freedoms, such as the right to education, the right to freedom of expression, the freedom to seek, receive and impart information and the right to express their views freely, are used to their fullest;

(k) To ensure the legal protection of children from sexual abuse and exploitation online and to define it legally, in accordance with international human rights law and obligations, to criminalize all relevant conduct related to the sexual exploitation of children online and offline and to ensure that all those in the whole chain of individuals involved in or attempting to commit such criminal activities are held accountable and brought to justice in order to fight impunity, taking into account the multi-jurisdictional and transnational nature of child sexual exploitation and abuse perpetrated online through information and communications technologies;

(l) To protect children deprived of their liberty from torture and other cruel, inhuman or degrading treatment or punishment, to ensure that, if they are arrested, detained or imprisoned, children are provided with prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of their liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action, that, from the moment they are arrested, children will have the right to maintain contact with their family through correspondence and visits, save in exceptional circumstances, that no child is sentenced or subjected to forced labour or corporal punishment or deprived of access to and the provision of health care and services, hygiene and environmental sanitation, nutritious food, education, basic instruction and vocational training, access to safe, confidential, independent mechanisms to report on violence and that the conditions in such settings are regularly and effectively monitored, and to undertake prompt investigations of all reported acts of violence and ensure that perpetrators are held accountable;

(m) To consider taking measures for the dissemination and implementation of the United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice,[43] and invites relevant United Nations actors to support Member States, where appropriate, to this end through concerted efforts;

(n) To improve the situation of children living in poverty, in particular extreme poverty, deprived of adequate food and nutrition, water and sanitation facilities, with limited or no access to basic physical and mental health-care services, shelter, education, participation and protection, taking into account that, while a severe lack of goods and services hurts every human being, it is particularly threatening and harmful to children, leaving them unable to enjoy their rights, to reach their full potential and to participate as a full member of society, and exposed to conditions that lead to increased violence;

(o) To ensure that the best interests of the child are a primary consideration in all decisions and actions concerning children, underlining that migrant children, including undocumented and unaccompanied children, regardless of migratory status, should be rapidly assigned a legal guardian when unaccompanied and be provided with effective protection from discrimination and from violence, as well as with access to due process in all legal and administrative proceedings affecting them, including for the determination of their age and legal status, and in this context reaffirms paragraphs 66 and 67 of its resolution 71/177;

(p) To devise, enforce and strengthen effective gender- and age-sensitive measures to combat and eliminate all forms of trafficking in children, including for sexual exploitation and forced labour, as part of a comprehensive anti-trafficking

[43] Resolution 69/194, annex.

strategy that integrates a human rights perspective, and to draw up, as appropriate, national action plans in this regard;

(q) To strengthen measures to eliminate the demand for child sex tourism and to ensure the effective protection of children from exploitation through all possible preventive actions, including legislative measures and other relevant policies and programmes;

(r) To protect the child against all other forms of exploitation prejudicial to any aspect of the child's welfare;

(s) To continue to seek to prevent, respond to, investigate and prosecute violations and abuses against children in humanitarian emergencies, to strengthen support services for children affected by humanitarian emergencies, including those who have experienced violations and abuses, and to call for a more effective response in that regard;

(t) To invest in the development and implementation of data systems to monitor violence against children and track progress and to promote, where possible, innovation in the area of data collection and monitoring, including using benchmarks and indicators, to ensure access to reliable disaggregated data;

(u) To encourage and support the private sector, including the corporate sector, to put in place policies and processes, appropriate to their size and circumstances, that ensure that their activities do not cause or contribute to violence against and exploitation of children;

(v) To support the work of the independent expert for the global study on the situation of children deprived of their liberty;

IV
Follow-up

37. *Recalls* paragraph 52 (d) of its resolution 69/157 of 18 December 2014, in which it invited the Secretary-General to commission an in-depth global study on children deprived of their liberty, to be funded through voluntary contributions, also recalls paragraph 88 of its resolution 71/177, in this regard encourages Member States and United Nations agencies, funds, programmes and offices, as well as other relevant stakeholders, to contribute to and support the elaboration of the study, and invites the designated independent expert to update Member States at its seventy-third session on the progress made and to submit a final report to the General Assembly at its seventy-fourth session;

38. *Welcomes* the appointment of Virginia Gamba as the Special Representative of the Secretary-General for Children and Armed Conflict, pursuant to General Assembly resolutions 51/77 and 60/231 of 23 December 2005, and recognizes the progress achieved since the establishment of the mandate of the Special Representative, as extended by the Assembly in its resolution 69/157;

39. *Recognizes* the work of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict, its increased level of work and the progress achieved since the establishment of the mandate of the Special Representative, and, bearing in mind its resolution 63/241 of 24 December 2008 and paragraphs 35 to 37 of its resolution 51/77, recommends that the Secretary-General extend the mandate of the Special Representative for a further period of three years;

40. *Decides*:

(a) To request the Secretary-General to submit to the General Assembly at its seventy-third session a comprehensive report on the rights of the child containing

information on the status of the Convention on the Rights of the Child and on the implementation of the priority themes of the resolution entitled "Rights of the child", adopted at its sixty-ninth to seventy-second sessions, including progress that has been achieved and challenges that still remain, taking into account information provided by Member States;

(b) To request the Special Representative of the Secretary-General for Children and Armed Conflict to continue to submit reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining on the children and armed conflict agenda;

(c) To request the Special Representative of the Secretary-General for Children and Armed Conflict to increase her engagement with States, United Nations bodies and agencies, regional organizations and especially subregional organizations and to increase public awareness activities, including by collecting, assessing and disseminating best practices and lessons learned, in accordance with the existing mandate;

(d) To request the Special Representative of the Secretary-General on Violence against Children to continue to submit annual reports to the General Assembly and the Human Rights Council on the activities undertaken in the fulfilment of her mandate, consistent with paragraphs 58 and 59 of its resolution 62/141 of 18 December 2007, including information on her field visits and on the progress achieved and the challenges remaining on the violence against children agenda;

(e) To request the Special Rapporteur of the Human Rights Council on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material, to continue to submit reports to the General Assembly and the Council on the activities undertaken in the fulfilment of her mandate, including information on her field visits and on the progress achieved and the challenges remaining in the prevention and eradication of the sale of children, child prostitution and child pornography and the sexual exploitation and abuse of children, including in the context of the implementation of the 2030 Agenda, as mandated by the Council in paragraph 32 of its resolution 34/16 of 24 March 2017;[44]

(f) To invite the Chair of the Committee on the Rights of the Child to present an oral report on the work of the Committee and to engage in an interactive dialogue with the General Assembly at its seventy-third session as a way to enhance communication between the Assembly and the Committee;

(g) To continue its consideration of the question at its seventy-third session under the item entitled "Promotion and protection of the rights of children".

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[44] See *Official Records of the General Assembly, Seventy-second Session, Supplement No. 53* (A/72/53), chap. IV, sect. A.

United Nations A/RES/72/246

General Assembly

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Seventy-second session
Agenda item 72 (b)

Resolution adopted by the General Assembly on 24 December 2017

[*on the report of the Third Committee (A/72/439/Add.2)*]

72/246. Effects of terrorism on the enjoyment of human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the International Covenant on Economic, Social and Cultural Rights,[2] the International Covenant on Civil and Political Rights[2] and other relevant international human rights instruments,

Taking note of all relevant resolutions of the General Assembly, the Security Council, the Commission on Human Rights and the Human Rights Council concerning terrorism and the protection of human rights, including Assembly resolutions 46/51 of 9 December 1991, 60/158 of 16 December 2005, 60/288 of 8 September 2006, 64/297 of 8 September 2010, 68/178 of 18 December 2013, 68/276 of 13 June 2014, 69/127 of 10 December 2014, 70/148 of 17 December 2015 and 70/291 of 1 July 2016, Commission on Human Rights resolution 2004/44 of 19 April 2004[3] and Human Rights Council resolutions 25/7 of 27 March 2014,[4] 28/17 of 26 March 2015,[5] 29/9 of 2 July 2015,[6] 31/3 of 23 March 2016,[7] 31/30 of 24 March 2016,[7] 33/21 of 30 September 2016,[8] 34/8 of 23 March 2017[9] and 35/34 of 23 June 2017,[10]

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[1] Resolution 217 A (III).
[2] See resolution 2200 A (XXI), annex.
[3] See *Official Records of the Economic and Social Council, 2004, Supplement No. 3* (E/2004/23), chap. II, sect. A.
[4] See *Official Records of the General Assembly, Sixty-ninth Session, Supplement No. 53* (A/69/53), chap. IV, sect. A.
[5] Ibid., *Seventieth Session, Supplement No. 53* (A/70/53), chap. III, sect. A.
[6] Ibid, chap. V, sect. A.
[7] Ibid., *Seventy-first Session, Supplement No. 53* (A/71/53), chap. IV, sect. A.
[8] Ibid., *Supplement No. 53A* and corrigendum (A/71/53/Add.1 and A/71/53/Add.1/Corr.1), chap. II.
[9] Ibid., *Seventy-second Session, Supplement No. 53* (A/72/53), chap. IV, sect. A.
[10] Ibid., chap. V, sect. A.

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Reiterating its strong and unequivocal condemnation of all acts, methods and practices of terrorism and violent extremism as and when conducive to terrorism in all its forms and manifestations, wherever and by whomsoever committed, regardless of their motivation,

Recognizing that terrorism has a detrimental effect on the full enjoyment of all human rights and fundamental freedoms, and impedes the full enjoyment of political, civil, economic, social and cultural rights,

Strongly condemning the systematic recruitment and use of children to perpetrate terrorist attacks, as well as the violations and abuses committed by terrorist groups against children, including killing and maiming, abduction and rape and other forms of sexual violence, and noting that such violations and abuses may amount to war crimes or crimes against humanity,

Expressing deep concern that acts of sexual and gender-based violence are known to be part of the strategic objectives and ideology of certain terrorist groups and are used as an instrument to increase their power through supporting financing and recruitment and through the destruction of communities,

Emphasizing that all human rights are universal, indivisible, interdependent and interrelated,

Reaffirming the fundamental importance of respecting all human rights and fundamental freedoms and the rule of law, and reiterating that all States have an obligation to promote and protect all human rights and fundamental freedoms and to ensure implementation of their obligations under international human rights law and international humanitarian law, as applicable,

Reaffirming also that the promotion and the protection of human rights for all and the rule of law are essential to the fight against terrorism, recognizing that effective counter-terrorism measures and the protection of human rights are not conflicting goals, but are complementary and mutually reinforcing, and stressing the need to promote and protect the rights of victims of terrorism,

Stressing that States have a responsibility to protect individuals within their territory and subject to their jurisdiction from acts of terrorism, to take effective counter-terrorism measures and to investigate and prosecute those responsible for carrying out such acts, and emphasizing the importance of ensuring that counter-terrorism laws, measures and practices are human rights-compliant,

Renewing its unwavering commitment to strengthening international cooperation to prevent and combat terrorism and violent extremism as and when conducive to terrorism in all its forms and manifestations, and reaffirming that any acts of terrorism are criminal and unjustifiable, regardless of their motivation, wherever, whenever and by whomsoever committed,

Emphasizing that terrorism cannot and should not be associated with any religion, nationality, civilization or ethnic group, and that tolerance, pluralism, inclusion and respect for diversity, dialogue among civilizations and the enhancement of interfaith and intercultural understanding and respect among people, including at the national, regional and global levels, while avoiding the escalation of hatred, are among the most important elements in promoting cooperation and success in preventing and combating terrorism, and welcoming the various initiatives to that end,

Reaffirming the commitment of Member States to take measures aimed at addressing the conditions conducive to the spread of terrorism, including but not limited to prolonged unresolved conflicts, the dehumanization of victims of terrorism in all its forms and manifestations, lack of the rule of law and violations and abuses of human rights, ethnic, national and religious discrimination, political exclusion,

socioeconomic marginalization and lack of good governance, while recognizing that none of these conditions can excuse or justify acts of terrorism,

Conscious that there are a number of drivers underlying radicalization to terrorism and that development based on the principles of social justice, inclusion and equal opportunities can contribute to the prevention of terrorism and violent extremism as and when conducive to terrorism, as well as to the promotion of inclusive, open and resilient societies, notably through education, and affirming the determination of States to work towards conflict resolution, to confront oppression, to eradicate poverty, to promote sustained economic growth, sustainable development, global prosperity, good governance, human rights and fundamental freedoms for all and the rule of law, to improve intercultural understanding and to promote respect for all,

1. *Strongly condemns* all terrorist acts as criminal and unjustifiable, and expresses grave concern about their detrimental effects on the enjoyment of all human rights;

2. *Reaffirms its commitment* to the United Nations Global Counter-Terrorism Strategy and a balanced and integrated implementation of its four pillars, as adopted in its resolution 60/288, and at its fifth review, and recognizes the need to redouble efforts for even attention paid to and even implementation of all the pillars of the strategy;

3. *Expresses concern* that terrorists and terrorist groups have targeted communities and individuals, as well as Governments, including on the basis of religion or belief and/or ethnicity;

4. *Deeply deplores* the suffering caused by terrorism to the victims of terrorism in all its forms and manifestations and to their families, expresses its profound solidarity with them, and encourages Member States to provide them with proper support and assistance while taking into account, inter alia, when appropriate, considerations regarding remembrance, dignity, respect, justice and truth, in accordance with international law;

5. *Recognizes* that terrorism has a grave impact on the full enjoyment of all human rights and fundamental freedoms and that it potentially hampers development, including but not limited to destroying infrastructure, harming the tourism industry, diverting foreign direct investment, impeding economic growth and increasing security costs;

6. *Urges* States to protect persons within their territory and subject to their jurisdiction by preventing and countering terrorism in all its forms and manifestations, in full compliance with their international legal obligations, and to respect and protect all human rights while countering terrorism in accordance with international law, in particular international human rights law, international refugee law and international humanitarian law;

7. *Calls upon* Member States to remain alert to the use of information and communications technology for terrorist purposes and to cooperate to counter violent extremist propaganda and incitement to violence on the Internet and social media, including by developing effective counter-narratives, and to prevent terrorists from recruiting and raising funds online for terrorist purposes, while respecting human rights and fundamental freedoms, in compliance with their obligations under international law, and stresses the importance of cooperation with civil society and the private sector in this endeavour;

8. *Expresses its concern* at the increasing use, in a globalized society, by terrorists and their supporters, of information and communications technology, in particular the Internet and other media, to advocate, commit, incite, recruit for, fund

or plan terrorist acts, urges States to take appropriate preventive measures in this regard while acting in full compliance with their obligations under international law, and reiterates that such technologies can be powerful tools in countering the spread of terrorism, including by promoting tolerance, dialogue among peoples and peace;

9. *Emphasizes* the importance of cooperation among stakeholders, including through technical cooperation, capacity-building and the exchange of good practices, information and intelligence on preventing and countering terrorism, and in this regard calls upon States and relevant regional and subregional organizations, as appropriate, to continue to implement the United Nations Global Counter-Terrorism Strategy and its four pillars in a balanced and integrated manner;

10. *Reaffirms its profound solidarity* with the victims of terrorism and their families, and acknowledges the importance of protecting their rights and providing them with proper support, assistance and rehabilitation, while taking into account, when appropriate, considerations regarding remembrance, dignity, respect, justice and truth in such a way that promotes accountability and ends impunity, and encourages the enhancement of international cooperation and the exchange of expertise in that respect, in accordance with international law;

11. *Requests* the Secretary-General to submit a report on the implementation of the present resolution to the General Assembly at its seventy-third session.

76th plenary meeting
24 December 2017

United Nations A/RES/72/247

General Assembly

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Seventy-second session
Agenda item 72 (b)

Resolution adopted by the General Assembly on 24 December 2017

[*on the report of the Third Committee (A/72/439/Add.2)*]

72/247. Twentieth anniversary and promotion of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Guided also by the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights[2] and other relevant instruments,

Recalling its resolution 53/144 of 9 December 1998, by which it adopted by consensus the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, commonly referred to as the Declaration on human rights defenders,

Recalling also all its other previous resolutions on this subject, including its resolutions 66/164 of 19 December 2011, 68/181 of 18 December 2013 and 70/161 of 17 December 2015, and Human Rights Council resolutions 22/6 of 21 March 2013,[3] 31/32 of 24 March 2016[4] and 34/5 of 23 March 2017,[5]

Reiterating that all human rights and fundamental freedoms are universal, indivisible, interdependent and interrelated and should be promoted and implemented in a fair and equitable manner, without prejudice to the implementation of each of those rights and freedoms,

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[1] Resolution 217 A (III).

[2] Resolution 2200 A (XXI), annex.

[3] See *Official Records of the General Assembly, Sixty-eighth Session, Supplement No. 53* (A/68/53), chap. IV, sect. A.

[4] Ibid., *Seventy-first Session* (A/71/53), chap. IV, sect. A.

[5] Ibid., *Seventy-second Session* (A/72/53), chap. IV, sect. A.

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Reaffirming that States have the primary responsibility and are under the obligation to respect, promote and protect all human rights and fundamental freedoms of all persons,

Stressing, in this regard, that all human rights and fundamental freedoms apply to all persons equally, including human rights defenders in the context of the Declaration,[6] and that these rights and freedoms must be respected, protected and fulfilled without discrimination,

Reaffirming the importance of the Declaration and its implementation, and that promoting respect and support for the activities of human rights defenders is essential to the overall enjoyment of human rights,

Underscoring the positive, important and legitimate role of human rights defenders in promoting and advocating the realization of all human rights, at the local, national, regional and international levels, including by engaging with Governments and contributing to the efforts in the implementation of the obligations and commitments of States in this regard,

Welcoming the steps taken by some States to create a safe and enabling environment for the promotion, protection and defence of human rights, and recognizing in this regard the positive efforts by authorities, national human rights institutions, where they exist, and civil society towards the development and enactment of relevant national policies, laws, programmes and practices,

Recognizing the substantial role that human rights defenders can play in supporting efforts to strengthen conflict prevention, peace and sustainable development, including environmental protection, through dialogue, openness, participation and justice, including by monitoring, reporting on and contributing to the promotion and protection of all civil, political, economic, social and cultural rights, and other rights, including the right to development, and in the context of the implementation of the 2030 Agenda for Sustainable Development,[7]

Gravely concerned by the considerable and increasing number of allegations and communications of a serious nature received by special procedures of the Human Rights Council and other mechanisms on the threats, risks and dangers faced by human rights defenders, including women human rights defenders, online and offline, and the prevalence of impunity for violations and abuses against them in many countries, where they face threats, harassment and attacks and suffer insecurity, including through restrictions on, inter alia, the rights to freedom of opinion, expression, association or peaceful assembly, and the right to privacy, or through abuse of criminal or civil proceedings, or acts of intimidation and reprisal intended to prevent their cooperation with the United Nations and other international bodies in the field of human rights,

Mindful that domestic law and administrative provisions and their application should not hinder but enable the work of human rights defenders, including by avoiding any criminalization, stigmatization, impediments, obstructions or restrictions thereof contrary to the obligations and commitments of States under international human rights law,

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[6] The term "human rights defenders" applies consistent with the purposes, principles and provisions of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms.

[7] Resolution 70/1.

Underscoring that the legal framework within which human rights defenders work peacefully to promote and protect human rights and fundamental freedoms is that of national legislation consistent with the Charter and international human rights law,

Stressing that, in the exercise of the rights and freedoms referred to in the Declaration, human rights defenders, acting individually and in association with others, shall be subject only to such limitations as are in accordance with applicable international obligations and are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society,

Gravely concerned that national security and counter-terrorism legislation and other measures, such as laws regulating civil society organizations, are in some instances misused to target human rights defenders or have hindered their work and endangered their safety in a manner contrary to international law,

Recognizing the pressing importance of addressing, and taking concrete steps to prevent and stop, the use of legislation to hinder or limit unduly the ability of human rights defenders to exercise their work, including by reviewing and, where necessary, amending relevant legislation and its implementation in order to ensure compliance with international human rights law,

Strongly reaffirming that everyone has the right, individually and in association with others, to promote and strive for the protection and realization of human rights and fundamental freedoms at the national and international levels, as laid out in the Declaration, and, in view of the twentieth anniversary of the Declaration, encouraging leaders in all sectors of society and in their respective communities, including political, military, social and religious leaders and leaders in business and the media, to express public support for human rights defenders in society, including women human rights defenders, and in cases of threat, harassment, violence, discrimination, racism and other violations and abuses committed against them, including killings, to take a clear stance in rejection of such practices and offences,

1. *Stresses* that the right of everyone to promote and strive for the protection and realization of human rights and fundamental freedoms without retaliation or fear thereof is an essential element in building and maintaining sustainable, open and democratic societies;

2. *Calls upon* all States to take all measures necessary to ensure the rights and safety of all persons, including human rights defenders, who exercise, inter alia, the rights to freedom of opinion, expression, peaceful assembly and association, which are essential for the promotion and protection of human rights;

3. *Welcomes* the work and takes note of the report of the Special Rapporteur of the Human Rights Council on the situation of human rights defenders,[8] and also takes note of the report of the Secretary-General on cooperation with the United Nations, its representatives and mechanisms in the field of human rights;[9]

4. *Urges* States to acknowledge through public statements, policies, programmes or laws the important and legitimate role of individuals, groups and organs of society, including human rights defenders, in the promotion of all human rights, democracy and the rule of law as essential components of ensuring their recognition and protection, including by duly investigating and condemning publicly

[8] A/72/170.

[9] A/HRC/36/31.

all cases of violence and discrimination against human rights defenders, including women human rights defenders, underlining that such practices can never be justified;

5. *Encourages* partnerships and collaboration between States, national human rights institutions, civil society and other stakeholders in promoting, protecting and realizing all human rights and fundamental freedoms, including through consultative bodies, focal points within the public administration, national human rights mechanisms for reporting or follow-up, or measures aimed at enhancing the recognition in society of the valuable role played by human rights defenders, while fully recognizing the importance of the independent voice of human rights defenders and other civil society actors;

6. *Underlines* the value of national human rights institutions, established and operating in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles),[10] in the continued engagement with human rights defenders and in the monitoring of existing legislation and consistently informing the State about its impact on the activities of human rights defenders, including by making relevant and concrete recommendations;

7. *Strongly condemns* the violence against and the targeting, criminalization, intimidation, torture, disappearance and killing of any individuals, including human rights defenders, for reporting and seeking information on human rights violations and abuses, and stresses the need to combat impunity by ensuring that those responsible for violations and abuses against human rights defenders, including against their legal representatives, associates and family members, are promptly brought to justice through impartial investigations;

8. *Condemns* all acts of intimidation and reprisal by State and non-State actors against individuals, groups and organs of society, including against human rights defenders and their legal representatives, associates and family members, who seek to cooperate, are cooperating or have cooperated with subregional, regional and international bodies, including the United Nations, its representatives and mechanisms, in the field of human rights, and strongly calls upon all States to give effect to the right of everyone, individually and in association with others, to unhindered access to and communication with international bodies, including the United Nations, its special procedures, the universal periodic review mechanism and the treaty bodies, as well as regional human rights mechanisms;

9. *Calls upon* States to take concrete steps to prevent and put an end to arbitrary arrest and detention, including of human rights defenders, and in this regard strongly urges the release of persons detained or imprisoned, in violation of the obligations and commitments of States under international human rights law, for exercising their human rights and fundamental freedoms, such as the rights to freedom of expression, peaceful assembly and association, including in relation to cooperation with the United Nations or other international mechanisms in the area of human rights;

10. *Strongly reaffirms* the urgent need to respect, protect, facilitate and promote the work of those promoting and defending economic, social and cultural rights, as a vital factor contributing towards the realization of those rights, including as they relate to environmental, land and indigenous issues and business activity, as well as development, including through corporate accountability;

11. *Continues to express particular concern* about systemic and structural discrimination and violence faced by women human rights defenders of all ages, and

[10] Resolution 48/134, annex.

reiterates its strong call upon States to take appropriate, robust and practical steps to protect women human rights defenders and to integrate a gender perspective into their efforts to create a safe and enabling environment for the defence of human rights, as called for by the General Assembly in its resolution 68/181;

12. *Urges* non-State actors, including transnational corporations and other business enterprises, to respect, promote and strive for the protection of the human rights and fundamental freedoms of all persons, including human rights defenders, and underlines the need to ensure human rights due diligence and the accountability of, and the provision of adequate remedies by, transnational corporations and other business enterprises, while also urging States to adopt relevant policies and laws in this regard, including to hold all companies to account for involvement in threats or attacks against human rights defenders;

13. *Welcomes* the steps taken by some States to promote and give effect to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms,[1] as well as by the Office of the United Nations High Commissioner for Human Rights and some regional organizations in making the Declaration available and known to all stakeholders at the national and local levels, in their respective languages, and underlines the need to promote and give full and appropriate effect to the Declaration;

14. *Decides* to devote a high-level plenary meeting of the General Assembly at its seventy-third session, in 2018, within existing resources, to the twentieth anniversary of the adoption of the Declaration, with a view to giving impetus to its promotion in all regions, and requests the President of the General Assembly to conduct consultations with Member States in order to determine the scope of and modalities for that meeting;

15. *Encourages* all parts of the international community, in view of the twentieth anniversary of the Declaration, including States, national human rights institutions, the Office of the United Nations High Commissioner for Human Rights and the Special Rapporteur on the situation of human rights defenders, in cooperation with relevant parts of the United Nations system, relevant regional organizations and civil society actors, to initiate and take part in awareness-raising activities at the local, national, regional and international levels, to promote and support the Declaration and its implementation, invites all stakeholders to report thereon to the Office of the High Commissioner, and requests the Office to make a compilation thereof available for the high-level plenary meeting of the General Assembly referred to in paragraph 14 above;

16. *Requests* the Secretary-General, in view of the twentieth anniversary of the Declaration, to undertake a comprehensive assessment and analysis of progress, achievements and challenges related to the ways in which the Office of the High Commissioner, as well as other relevant United Nations offices and departments and relevant specialized agencies, including at the country level, within their respective mandates, give and can give due consideration to the Declaration and take into account the reports of the Special Rapporteur in their work, and assist States in strengthening the role and security of human rights defenders as called for by the General Assembly in its resolutions 62/152 of 18 December 2007, 64/163 of 18 December 2009, 66/164, 68/181 and 70/161, recognizing that technical assistance and capacity-building are to be provided in consultation with, and with the consent of, the Member States concerned;

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[1] Resolution 53/144, annex.

17. *Also requests* the Secretary-General to undertake his assessment and analysis in cooperation with the Special Rapporteur and in consultation with States, other relevant special procedures mandate holders, relevant treaty bodies, relevant United Nations offices and departments and relevant specialized agencies, including at the country level, as well as national human rights institutions and civil society, and to present the results of this assessment and analysis in a report to the General Assembly at its seventy-third session,[12] containing conclusions and recommendations for effective technical assistance and capacity-building, including good practices thereof and examples of positive impact or change as well as challenges related to the provision of support to States in the implementation of relevant human rights obligations and commitments, recognizing that technical assistance and capacity-building are to be provided in consultation with, and with the consent of, the Member States concerned;

18. *Requests* all concerned United Nations system entities and organizations, within their mandates, to provide all possible assistance and support to the Special Rapporteur for the effective fulfilment of his mandate, including in the context of country visits and through suggestions on ways and means of ensuring the protection of human rights defenders;

19. *Requests* the Special Rapporteur to continue to report annually on his activities to the General Assembly and the Human Rights Council, in accordance with the mandate;

20. *Decides* to remain seized of the matter.

76th plenary meeting
24 December 2017

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[12] Including a presentation for the high-level plenary meeting referred to in paragraph 14.

United Nations A/RES/72/248

General Assembly

Distr.: General
23 January 2018

Seventy-second session
Agenda item 72 (c)

Resolution adopted by the General Assembly on 24 December 2017

[*on the report of the Third Committee (A/72/439/Add.3)*]

72/248. Situation of human rights in Myanmar

The General Assembly,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights,[1] the International Covenants on Human Rights,[2] the Convention on the Rights of the Child[3] and other relevant international law and human rights law instruments,

Noting the importance of the role of regional organizations in efforts to achieve pacific settlement of local disputes, as stipulated in Chapter VIII of the Charter,

Reaffirming its previous resolutions on the situation of human rights in Myanmar, the most recent of which being resolution 70/233 of 23 December 2015, and the resolutions and decisions of the Human Rights Council, the most recent of which being resolution 34/22 of 24 March 2017[4] and decision 36/115 of 29 September 2017,[5]

Welcoming the report of the Special Rapporteur of the Human Rights Council on the situation of human rights in Myanmar[6] and the access granted to her during her visits to Myanmar in January 2017 and July 2017,

Expressing grave concern at the recent reports of serious human rights violations and abuses in Myanmar, in particular in Rakhine State, as well as in Kachin and northern Shan States,

Highly alarmed at the outbreak of violence in Rakhine State in August 2017 that has caused hundreds of thousands of Rohingya civilians to flee towards Bangladesh,

[1] Resolution 217 A (III).
[2] Resolution 2200 A (XXI), annex.
[3] United Nations, *Treaty Series*, vol. 1577, No. 27531.
[4] See *Official Records of the General Assembly, Seventy-second Session, Supplement No. 53* (A/72/53), chap. IV, sect. A.
[5] Ibid, *Supplement No. 53A* (A/72/53/Add.1), chap. IV.
[6] A/72/382.

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and which, thus far, has displaced nearly 600,000 Rohingya, with the prospect of even higher numbers of displaced people,

Further alarmed by the disproportionate and sustained use of force by the Myanmar forces against the Rohingya community and others in northern Rakhine State,

Condemning the attacks of the Arakan Rohingya Salvation Army against police and military posts on 25 August 2017,

Underlining the importance of the Government of Myanmar intensifying efforts to fulfil its human rights obligations, and concerned about the denial of human rights violations by the Government,

Underlining also the need for the armed forces of Myanmar to take immediate steps to protect all civilians, including those belonging to the Rohingya community, by respecting international law, including human rights law, and ending the violence, and calling for urgent steps to ensure independent and impartial investigations into all human rights violations and abuses,

Deeply distressed by the reports of unarmed Rohingya in Rakhine State being subjected to the unlawful use of force by non-State actors and the excessive use of force by the military and security forces, including extrajudicial killings, rape and other forms of sexual violence, arbitrary detention and the unexplained disappearance of Rohingya civilians in Rakhine State, and by reports of large-scale destruction of homes and systematic evictions in northern Rakhine State, including the use of arson and violence,

Noting with deep concern that, according to the United Nations Children's Fund, nearly 60 per cent of Rohingya Muslims who have been forced to flee to Bangladesh are children,

Noting with deep concern also the deteriorating security, human rights and humanitarian situation in Rakhine State, and the continued serious violations and abuses of human rights of Rohingya Muslims in Rakhine State, as well as statelessness, disenfranchisement, economic dispossession, marginalization and deprivation of livelihoods, as well as restrictions on freedom of movement for persons belonging to the Rohingya community, including the confinement of approximately 120,000 people in camps for internally displaced persons, the majority of whom rely entirely on foreign aid,

Reaffirming the right of all refugees and displaced persons to return home in safety and dignity and in a voluntary and sustainable manner,

Taking note of the formation, in 2016, of the Advisory Commission on Rakhine State, chaired by Mr. Kofi Annan, which submitted its final report in August 2017,[7] and the commitment of the Government of Myanmar to implementing the recommendations of the Commission and addressing the underlying causes of the situation in Rakhine State,

Noting the other commitments of the Government of Myanmar to improve the situation in Rakhine State for all communities, while underscoring the need for expedited implementation, including through commitments to the return of refugees and forcibly displaced persons, and the speech by the State Counsellor of 12 October 2017, in which she set out her vision for resolving the crisis, including through the

[7] Advisory Commission on Rakhine State, "Towards a peaceful, fair and prosperous future for the people of Rakhine", August 2017.

setting up of the Union Enterprise for Humanitarian Assistance, Resettlement and Development in Rakhine and of country-wide interfaith meetings,

Concerned that, in spite of Rohingya Muslims having lived in Myanmar for generations prior to the independence of Myanmar, they were made stateless by the enactment of the 1982 Citizenship Law and were eventually disenfranchised, in 2015, from the electoral process,

Acknowledging that the denial of citizenship status and related rights to Rohingya Muslims and others, including voting rights, is a serious human rights concern,

Noting with concern the findings of the flash report of 3 February 2017 on the mission of the Office of the United Nations High Commissioner for Human Rights to Bangladesh, as well as the report of the rapid response mission of the Office of the High Commissioner to Cox's Bazar, Bangladesh, in September 2017,

Welcoming the decision of the Human Rights Council to constitute a fact-finding mission pursuant to its resolution 34/22,

Reiterating the concerns expressed by the Secretary-General to the Human Rights Council and at the open debate of the Security Council on Myanmar, held on 28 September 2017,

1. *Calls upon* the authorities of Myanmar:

(a) To end the ongoing military operations that have fuelled tensions among the communities and have led to the systematic violation and abuse of human rights of persons belonging to the Rohingya community and other ethnic minorities and to hold perpetrators accountable;

(b) To allow full and unhindered access for the delivery of humanitarian assistance by humanitarian actors, including the United Nations, its international partners as well as by regional organizations, including but not limited to the Coordinating Centre for Humanitarian Assistance on Disaster Management of the Association of Southeast Asian Nations, to affected persons and communities, and in this regard urges the Government of Myanmar to implement the various international cooperation agreements that have not yet been implemented for the distribution of humanitarian aid to all affected areas, including Rakhine State, without discrimination;

(c) To de-escalate the situation to prevent the further loss of lives and displacement so that humanitarian aid may be provided to all affected communities in need and medical support provided to the sick, injured and those suffering from malnutrition and severe mental trauma;

(d) To ensure the voluntary and sustainable return, in safety, security and dignity and in accordance with international law, of all internally displaced persons, refugees and others who have had to leave Myanmar to their original places of residence, in particular those from the Rohingya minority;

(e) To intensify its efforts to address discrimination, human rights violations, displacement and economic deprivation affecting members of various ethnic and religious minorities and stateless populations, as well as to take all necessary measures to prevent the destruction of places of worship;

(f) To undertake all measures to counter incitement to hatred and hate speech leading to violence and to combat discrimination and violence against persons belonging to national or ethnic, religious or linguistic minorities in order to allow true reconciliation to take place in Rakhine State;

(g) To grant full, unrestricted and unmonitored access for the fact-finding mission of the Human Rights Council, other human rights mechanisms and the United Nations to independently monitor the human rights situation, and to ensure that individuals have unhindered access to and can communicate with the United Nations and other human rights entities, without fear of reprisal, intimidation or attack;

(h) To ensure accountability by undertaking full, transparent and independent investigations of those who commit human rights violations and abuses, including violations and abuses carried out by members of the military, other government agents and members of vigilante groups, including those motivated by extreme views against Rohingya Muslims and those who divide communities;

(i) To ensure that any response against extremism is proportionate and respects the rule of law, international human rights obligations and international humanitarian law, and to take initiatives to address the underlying causes for the spread of violent extremism and radicalization in Rakhine State;

(j) To ensure that any measure taken to address the underlying causes for the spread of violence and radicalization complies with applicable international law, including international human rights and refugee law;

(k) To dismantle the present internally displaced persons' camps in Rakhine State, ensuring that the return and relocation of internally displaced persons is carried out in accordance with international standards and best practices;

(l) To ensure an expeditious verification process for refugees and forcibly displaced persons, in timely manner;

(m) To ensure full respect for all human rights and fundamental freedoms for persons belonging to the Rohingya community, to end all restrictions on their movements, to ensure full access to health and medical services without any discrimination and to reverse any step or directive that caused marginalization and vulnerability for Rohingya Muslims;

(n) To fully implement the recommendations of the Advisory Commission on Rakhine State, to allow reconciliation among all other communities living in Rakhine State and to commence a process of inclusive development meaningful for all communities;

(o) To grant full citizenship rights, in keeping with a transparent due process, to Rohingya Muslims in Rakhine State, including by reviewing the 1982 Citizenship Law;

(p) To ensure full protection of the human rights and fundamental freedoms of Rohingya Muslims and other ethnic and religious minorities in an equal and dignified manner in order to prevent further instability and insecurity, alleviate suffering, address the root causes of the situation and forge a viable, lasting and durable solution;

2. *Urges* the forging of a long-lasting solution that affirms shared values, promotes mutual respect and upholds human dignity, and recognizes the setting up by the Government of Myanmar of the Union Enterprise for Humanitarian Assistance, Resettlement and Development in Rakhine, the Central Committee for the Implementation of Peace, Stability and Development in Rakhine State and the Advisory Commission on Rakhine State and the efforts to implement the recommendations of the Commission;

3. *Expresses its deep concern* at the plight of refugees and forcibly displaced persons living in Bangladesh and in other countries, and appreciates the commitment by the Government of Bangladesh to provide temporary shelter, humanitarian assistance and protection to them;

4. *Encourages* further cooperation between Myanmar and Bangladesh to address all relevant aspects of the crisis, including the expedited, safe and voluntary return of refugees, as well as full cooperation with the United Nations and its funds, programmes and agencies;

5. *Encourages* the international community to (a) assist Bangladesh in providing humanitarian assistance to the Rohingya refugees and forcibly displaced persons until such time as they are voluntarily repatriated to Myanmar in safety and dignity; and (b) assist Myanmar in the provision of humanitarian assistance to affected persons of all communities who have been internally displaced within Rakhine State;

6. *Recognizes with appreciation* the assistance and support of the international community, including regional organizations and Myanmar's neighbouring countries, and encourages support for the Government of Myanmar in the fulfilment of its international human rights obligations and commitments, the implementation of its democratic transition process and its economic and social development and its efforts towards a sustainable peace, as well as its national reconciliation process involving all relevant stakeholders;

7. *Encourages* further efforts to promote intercommunal and interfaith dialogue to de-escalate tension and foster peaceful coexistence among all ethnic and religious groups;

8. *Stresses* that the right to freedom of thought, conscience and religion or belief applies equally to all persons, regardless of their religion or belief and without any discrimination as to their equal protection under the law;

9. *Takes note* of those developments in Myanmar that contribute positively towards political and economic reform, democratization, national reconciliation, good governance and the rule of law, and of the efforts made to promote and protect human rights and combat corruption, and urges the Government of Myanmar to take further steps to address outstanding concerns, in particular those reflected in the present resolution;

10. *Requests* the Secretary-General to continue to provide his good offices and to pursue his discussions relating to Myanmar, involving all relevant stakeholders and including the concerns addressed herein, and in this regard to appoint a special envoy on Myanmar and to offer assistance to the Government of Myanmar;

11. *Decides* to remain seized of the matter, inter alia, on the basis of the reports of the Secretary-General, the fact-finding mission and the Special Rapporteur of the Human Rights Council and the special envoy on Myanmar.

76th plenary meeting
24 December 2017

United Nations A/RES/72/249

General Assembly

Distr.: General
19 January 2018

Seventy-second session
Agenda item 77

Resolution adopted by the General Assembly on 24 December 2017

[*without reference to a Main Committee (A/72/L.7 and A/72/L.7/Add.1)*]

72/249. International legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction

The General Assembly,

Guided by the purposes and principles enshrined in the Charter of the United Nations,

Recalling its resolution 69/292 of 19 June 2015,

Taking note of the report of the Preparatory Committee established by General Assembly resolution 69/292: Development of an international legally binding instrument under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction,[1] and the recommendations contained therein,

1. *Decides* to convene an intergovernmental conference, under the auspices of the United Nations, to consider the recommendations of the Preparatory Committee on the elements and to elaborate the text of an international legally binding instrument under the United Nations Convention on the Law of the Sea[2] on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, with a view to developing the instrument as soon as possible;

2. *Also decides* that negotiations shall address the topics identified in the package agreed in 2011, namely, the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction, in particular, together and as a whole, marine genetic resources, including questions on the sharing of benefits, measures such as area-based management tools, including marine protected areas,

[1] A/AC.287/2017/PC.4/2.
[2] United Nations, *Treaty Series*, vol. 1833, No. 31363.

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environmental impact assessments and capacity-building and the transfer of marine technology;

3. *Further decides* that, initially with respect to 2018, 2019 and the first half of 2020, the conference shall meet for four sessions of a duration of 10 working days each, with the first session taking place in the second half of 2018, the second and third sessions taking place in 2019, and the fourth session taking place in the first half of 2020, and requests the Secretary-General to convene the first session of the conference from 4 to 17 September 2018;

4. *Decides* that the conference shall hold a three-day organizational meeting in New York, from 16 to 18 April 2018, to discuss organizational matters, including the process for the preparation of the zero draft of the instrument;

5. *Requests* the President of the General Assembly to undertake consultations, in an open and transparent manner, for the nomination of a President-designate or co-Presidents-designate of the conference;

6. *Reaffirms* that the work and results of the conference should be fully consistent with the provisions of the United Nations Convention on the Law of the Sea;

7. *Recognizes* that this process and its result should not undermine existing relevant legal instruments and frameworks and relevant global, regional and sectoral bodies;

8. *Decides* that the conference shall be open to all States Members of the United Nations, members of the specialized agencies and parties to the Convention;

9. *Stresses* the need to ensure the widest possible and effective participation in the conference;

10. *Recognizes* that neither participation in the negotiations nor their outcome may affect the legal status of non-parties to the Convention or any other related agreements with regard to those instruments, or the legal status of parties to the Convention or any other related agreements with regard to those instruments;

11. *Decides* that, for the meetings of the conference, the participation rights of the international organization that is a party to the Convention shall be as in the Meeting of States Parties to the Convention and that this provision shall constitute no precedent for all meetings to which General Assembly resolution 65/276 of 3 May 2011 is applicable;

12. *Also decides* to invite to the conference representatives of organizations and other entities that have received a standing invitation from the General Assembly pursuant to its relevant resolutions to participate, in the capacity of observer, in its sessions and work, on the understanding that such representatives would participate in the conference in that capacity, and to invite, as observers to the conference, representatives of interested global and regional intergovernmental organizations and

other interested international bodies that were invited to participate in relevant conferences and summits;[3]

13. *Further decides* that attendance at the conference as observers will also be opened to relevant non-governmental organizations in consultative status with the Economic and Social Council in accordance with the provisions of Council resolution 1996/31 of 25 July 1996, as well as to those that were accredited to relevant conferences and summits,[4] on the understanding that participation means attending formal meetings, unless otherwise decided by the conference in specific situations, receiving copies of the official documents, making available their materials to delegates and addressing the meetings, through a limited number of their representatives, as appropriate;

14. *Decides* to invite associate members of regional commissions to participate in the work of the conference in the capacity of observer;

15. *Also decides* to invite representatives of relevant specialized agencies, as well as other organs, organizations, funds and programmes of the United Nations system as observers;

16. *Further decides* to forward the report of the Preparatory Committee to the conference;

17. *Decides* that the conference shall exhaust every effort in good faith to reach agreement on substantive matters by consensus;

18. *Also decides* that, except as provided for in paragraphs 17 and 19 of the present resolution, the rules relating to the procedure and the established practice of the General Assembly shall apply to the procedure of the conference unless otherwise agreed by the conference;

19. *Further decides* that, subject to paragraph 17, decisions of the conference on substantive matters shall be taken by a two-thirds majority of the representatives present and voting, before which, the presiding officer shall inform the conference that every effort to reach agreement by consensus has been exhausted;

20. *Recalls* its invitation to Member States, international financial institutions, donor agencies, intergovernmental organizations, non-governmental organizations and natural and juridical persons to make financial contributions to the voluntary trust

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[3] Reference is made to intergovernmental organizations and other international bodies that were invited to participate in the following relevant conferences and summits: The World Summit on Sustainable Development, the United Nations Conference on Sustainable Development and the previous United Nations conferences on sustainable development of small island developing States, held in Barbados, Mauritius and Samoa, the United Nations Conference on Straddling Fish Stocks and Highly Migratory Fish Stocks, the Review Conference on the Agreement for the Implementation of the Provisions of the United Nations Convention on the Law of the Sea of 10 December 1982 relating to the Conservation and Management of Straddling Fish Stocks and Highly Migratory Fish Stocks, as well as the United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development.

[4] Reference is made to the non-governmental organizations that were accredited to the following relevant conferences and summits: The World Summit on Sustainable Development, the United Nations Conference on Sustainable Development and the previous United Nations conferences on sustainable development of small island developing States, held in Barbados, Mauritius and Samoa, as well as the United Nations Conference to Support the Implementation of Sustainable Development Goal 14: Conserve and sustainably use the oceans, seas and marine resources for sustainable development.

[5] American Samoa, Anguilla, Aruba, Bermuda, the British Virgin Islands, the Cayman Islands, the Commonwealth of the Northern Mariana Islands, Curaçao, French Polynesia, Guam, Montserrat, New Caledonia, Puerto Rico, Sint Maarten, the Turks and Caicos Islands and the United States Virgin Islands.

fund established in resolution 69/292, and authorizes the Secretary-General to expand the assistance provided by this trust fund to include daily subsistence allowance in addition to defraying the costs of economy-class travel, limiting requests for assistance from this trust fund to one delegate per State for each session;

21. *Requests* the Secretary-General to appoint a Secretary-General of the conference to serve as focal point within the Secretariat for providing support to the organization of the conference;

22. *Also requests* the Secretary-General to provide the conference with the necessary assistance for the performance of its work, including secretariat services and the provision of essential background information and relevant documents, and to arrange for support to be provided by the Division for Ocean Affairs and the Law of the Sea of the Office of Legal Affairs of the Secretariat;

23. *Decides* to remain seized of the matter.

76th plenary meeting
24 December 2017

United Nations A/RES/72/250

General Assembly

Distr.: General
12 January 2018

Seventy-second session
Agenda item 97 (a)

Resolution adopted by the General Assembly on 24 December 2017

[*on the report of the First Committee (A/72/407)*]

72/250. Further practical measures for the prevention of an arms race in outer space

The General Assembly,

Recalling its resolutions 71/31 and 71/32 of 5 December 2016 and 71/90 of 6 December 2016, as well as its other resolutions on this subject,

Encouraging all States to contribute actively to the prevention of an arms race in outer space, especially the placement of weapons in outer space, as well as the use of force against space objects, with a view to promoting and strengthening international cooperation in the exploration and use of outer space for peaceful purposes, with the objective of shaping a community of shared future for mankind,

Recognizing that the prevention of an arms race, especially of the placement of weapons in outer space, would avert a grave danger for international peace and security,

Reaffirming that practical measures should be examined and taken in the search for agreements to prevent an arms race in outer space,

Recognizing the primary role and responsibility of the Conference on Disarmament in the negotiation of a multilateral agreement or agreements on the prevention of an arms race in outer space,

1. *Expresses its deep regret* over the years of stalemate in the work of the Conference on Disarmament, and looks forward to the Conference again fulfilling its mandate as the world's single multilateral disarmament negotiating forum;

2. *Urges* the Conference on Disarmament to agree on and implement at its earliest opportunity a balanced and comprehensive programme of work that includes the immediate commencement of negotiations on an international legally binding instrument on the prevention of an arms race in outer space, including, inter alia, on the prevention of the placement of weapons in outer space;

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3. *Requests* the Secretary-General to establish a United Nations Group of Governmental Experts, with a membership of up to 25 Member States, chosen on the basis of fair and equitable geographical representation, to consider and make recommendations on substantial elements of an international legally binding instrument on the prevention of an arms race in outer space, including, inter alia, on the prevention of the placement of weapons in outer space;

4. *Decides* that the newly established Group of Governmental Experts will operate by consensus, without prejudice to national positions in future negotiations, and hold two 2-week sessions in Geneva, one in 2018 and the other in 2019;

5. *Requests* the Chair of the Group of Governmental Experts to organize, in New York, a two-day open-ended intersessional informal consultative meeting, in 2019, so that all Member States can engage in interactive discussions and share their views on the basis of a report on the work of the Group to be provided by the Chair in his own capacity;

6. *Requests* the Secretary-General to transmit the report of the Group of Governmental Experts to the General Assembly at its seventy-fourth session and to the Conference on Disarmament prior to its 2020 session;

7. *Decides* that, if the Conference on Disarmament agrees upon and implements a balanced and comprehensive programme of work that includes the negotiation of an international legally binding instrument on the prevention of an arms race in outer space, including, inter alia, on the prevention of the placement of weapons in outer space, the newly established Group of Governmental Experts will conclude its work and submit the results thereof to the Secretary-General for onward transmission to the Conference on Disarmament;

8. *Also* decides to include in the provisional agenda of its seventy-third session an item entitled "Further practical measures for the prevention of an arms race in outer space".

76th plenary meeting
24 December 2017

United Nations A/RES/72/251

General Assembly

Distr.: General
12 January 2018

Seventy-second session
Agenda item 99 (cc)

Resolution adopted by the General Assembly on 24 December 2017

[*on the report of the First Committee (A/72/409)*]

72/251. Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament

The General Assembly,

Recalling its resolutions 67/39 of 3 December 2012, 68/32 of 5 December 2013, 69/58 of 2 December 2014, 70/34 of 7 December 2015 and 71/71 of 5 December 2016,

Welcoming the convening of the high-level meeting of the General Assembly on nuclear disarmament, on 26 September 2013, and recognizing its contribution to furthering the objective of the total elimination of nuclear weapons,

Emphasizing the importance of seeking a safer world for all and achieving peace and security in a world without nuclear weapons,

Reaffirming that effective measures of nuclear disarmament have the highest priority, as affirmed at the first special session of the General Assembly devoted to disarmament,

Convinced that nuclear disarmament and the total elimination of nuclear weapons are the only absolute guarantee against the use or threat of use of nuclear weapons,

Acknowledging the significant contribution made by a number of countries towards realizing the objective of nuclear disarmament by the establishment of nuclear-weapon-free zones, as well as by voluntary renunciation of nuclear weapon programmes or withdrawal of all nuclear weapons from their territories, and strongly supporting the speedy establishment of a nuclear-weapon-free zone in the Middle East,

Recalling the resolve of the Heads of State and Government, as contained in the United Nations Millennium Declaration,[1] to strive for the elimination of weapons of

[1] Resolution 55/2.

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mass destruction, particularly nuclear weapons, and to keep all options open for achieving this aim, including the possibility of convening an international conference to identify ways of eliminating nuclear dangers,

Reaffirming the central role of the United Nations in the field of disarmament, and also reaffirming the continued importance and relevance of multilateral disarmament machinery as mandated by the General Assembly at its first special session devoted to disarmament,

Acknowledging the important role of civil society, including non-governmental organizations, academia, parliamentarians and the mass media, in advancing the objective of nuclear disarmament,

Sharing the deep concern at the catastrophic humanitarian consequences of any use of nuclear weapons, and in this context reaffirming the need for all States at all times to comply with applicable international law, including international humanitarian law,

Taking note of the report of the Secretary-General submitted pursuant to resolution 71/71,[2] and welcoming the fact that a large number of Member States contributed their views to this report,

Noting the adoption, with a vote, of the Treaty on the Prohibition of Nuclear Weapons[3] on 7 July 2017 at the United Nations conference to negotiate a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination,

Mindful of the solemn obligations of States parties, undertaken in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons,[4] particularly to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament,

Expressing its deep concern that the negotiations in the Conference on Disarmament for the conclusion of a comprehensive convention on nuclear weapons have not yet commenced,

Determined to work collectively towards the realization of nuclear disarmament,

1. *Underlines* the strong support, expressed at the high-level meeting of the General Assembly on nuclear disarmament, held on 26 September 2013, for taking urgent and effective measures to achieve the total elimination of nuclear weapons;

2. *Calls for* urgent compliance with the legal obligations and the fulfilment of the commitments undertaken on nuclear disarmament;

3. *Endorses* the wide support expressed at the high-level meeting for a comprehensive convention on nuclear weapons;

4. *Calls for* the urgent commencement of negotiations in the Conference on Disarmament on effective nuclear disarmament measures to achieve the total elimination of nuclear weapons, including, in particular, on a comprehensive convention on nuclear weapons;

5. *Decides* to convene, in New York from 14 to 16 May 2018, a United Nations high-level international conference on nuclear disarmament to review the progress made in this regard;

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[2] A/72/339.

[3] A/CONF.229/2017/8.

[4] United Nations, *Treaty Series*, vol. 729, No. 10485.

6. *Also decides* that the United Nations high-level international conference shall include a one-day organizational meeting, to be held in New York on 28 March 2018, which shall be conducted under the rules of procedure of the General Assembly, to decide on all relevant procedural matters;

7. *Requests* the Secretary-General to send letters to all States Members of the United Nations and members of specialized agencies inviting them to participate in the conference, and encourages all States Members of the United Nations and members of specialized agencies to participate in the conference at the highest level;

8. *Decides* that the Secretary-General or his designate shall act as Secretary-General of the conference;

9. *Also decides* that the conference shall be held with the participation of the President of the General Assembly and the Secretary-General;

10. *Requests* the Secretary-General to invite relevant regional and international organizations, including the International Atomic Energy Agency, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and institutions related to the treaties establishing nuclear-weapon-free zones, to participate in the conference;

11. *Encourages* the wider participation of civil society, including non-governmental organizations, academia and parliamentarians, in the conference, and requests the Secretary-General to draw up a list of non-governmental organizations in consultative status with the Economic and Social Council that will participate in the conference;

12. *Requests* the Secretary-General to provide the conference with the assistance necessary for the performance of its work, including full conference services, essential background information and relevant documents;

13. *Takes note* of the views provided by Member States with regard to achieving the objective of the total elimination of nuclear weapons, in particular on the elements of a comprehensive convention on nuclear weapons, as reflected in the report submitted by the Secretary-General pursuant to resolution 71/71,[2] and requests the Secretary-General to forward this report to the Conference on Disarmament and the Disarmament Commission for their early consideration;

14. *Welcomes* the commemoration and promotion of 26 September as the International Day for the Total Elimination of Nuclear Weapons devoted to furthering this objective;

15. *Expresses its appreciation* to Member States, the United Nations system and civil society, including non-governmental organizations, academia, parliamentarians, the mass media and individuals that developed activities in promotion of the International Day for the Total Elimination of Nuclear Weapons;

16. *Reiterates its request* to the President of the General Assembly to organize, on 26 September every year, a one-day high-level plenary meeting of the Assembly to commemorate and promote the International Day for the Total Elimination of Nuclear Weapons;

17. *Decides* that the aforementioned high-level plenary meeting shall be held with the participation of Member and observer States, represented at the highest possible level, as well as with the participation of the President of the General Assembly and the Secretary-General;

18. *Requests* the Secretary-General to undertake all arrangements necessary to commemorate and promote the International Day for the Total Elimination of Nuclear

Weapons, including through the United Nations Offices at Geneva and Vienna, as well as the United Nations regional centres for peace and disarmament;

19. *Calls upon* Member States, the United Nations system and civil society, including non-governmental organizations, academia, parliamentarians, the mass media and individuals, to commemorate and promote the International Day for the Total Elimination of Nuclear Weapons through all means of educational and public awareness-raising activities about the threat posed to humanity by nuclear weapons and the necessity for their total elimination in order to mobilize international efforts towards achieving the common goal of a nuclear-weapon-free world;

20. *Requests* the Secretary-General to seek the views of Member States with regard to achieving the objective of the total elimination of nuclear weapons, in particular on effective nuclear disarmament measures, including elements of a comprehensive convention on nuclear weapons, and to submit a report thereon to the General Assembly at its seventy-third session, and also to transmit the report to the Conference on Disarmament;

21. *Also requests* the Secretary-General to report on the implementation of the present resolution to the General Assembly at its seventy-third session;

22. *Decides* to include in the provisional agenda of its seventy-third session, under the item entitled "General and complete disarmament", the sub-item entitled "Follow-up to the 2013 high-level meeting of the General Assembly on nuclear disarmament".

76th plenary meeting
24 December 2017

United Nations A/RES/72/252

General Assembly

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23 January 2018

Seventy-second session
Agenda item 130

Resolution adopted by the General Assembly on 24 December 2017

[without reference to a Main Committee (A/72/L.19 and A/72/L.19/Add.1)]

72/252. Investigation into the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and of the members of the party accompanying him

The General Assembly,

Recalling its resolutions 1759 (XVII) of 26 October 1962, 69/246 of 29 December 2014, 70/11 of 19 November 2015 and 71/260 of 23 December 2016,

Underlining the shared responsibility to pursue the full truth concerning the conditions and circumstances resulting in the tragic death of Dag Hammarskjold and of the members of the party accompanying him,

Recognizing that a further inquiry or investigation would be necessary to finally establish the facts of the matter,

Expressing appreciation for the continuing commitment of the Secretary-General to the search for the truth in this regard,

Welcoming the report of the Eminent Person appointed pursuant to General Assembly resolution 71/260,[1] and recognizing the contributions by Member States to his work,

Acknowledging the letter dated 5 September 2017 from the Secretary-General addressed to the President of the General Assembly, transmitting the report of the Eminent Person, together with his assessment of the way forward,

Noting, in particular, the conclusion drawn by the Eminent Person that it appears plausible that an external attack or threat may have been the cause of the crash, whether by way of a direct attack causing flight SE-BDY to crash or by causing a momentary distraction of the pilots,

[1] See A/71/1042.

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1. *Requests* the Secretary-General to reappoint the Eminent Person appointed pursuant to General Assembly resolution 71/260 to continue to review the potential new information, including that which may be available from Member States, to assess its probative value, to determine the scope that any further inquiry or investigation should take and, if possible, to draw conclusions from the investigations already conducted;

2. *Urges* all Member States to release any relevant records in their possession and to provide to the Secretary-General relevant information related to the death of Dag Hammarskjöld and of the members of the party accompanying him;

3. *Encourages* Member States to ensure that any relevant records related to the death of Dag Hammarskjöld and of the members of the party accompanying him that remain classified, more than 50 years after the fact, are declassified or otherwise made available for review;

4. *Requests* the Secretary-General to ensure that the United Nations reviews its own specific records and archives for possible declassification of information relevant to the death of Dag Hammarskjöld and of the members of the party accompanying him;

5. *Encourages* all Member States that may hold relevant information related to the death of Dag Hammarskjöld and of the members of the party accompanying him to appoint, without any delay, an independent and high-ranking official to conduct a dedicated internal review of their intelligence, security and defence archives to determine whether relevant information exists, and to communicate a summary of the results to the Secretary-General before the end of the main part of its seventy-third session under such confidentiality arrangements as presented in the report of the Eminent Person;

6. *Requests* the Secretary-General to continue to explore the feasibility of establishing a central archival holding or other holistic arrangement for records and archives related to the death of Dag Hammarskjöld and of the members of the party accompanying him and to provide to the General Assembly concrete and actionable recommendations thereon;

7. *Also requests* the Secretary-General to provide an oral briefing on any progress made to the General Assembly before the end of the main part of its seventy-third session and to report to the Assembly before the end of its seventy-third session on any further progress made;

8. *Decides* to include in the provisional agenda of its seventy-fourth session the item entitled "Investigation into the conditions and circumstances resulting in the tragic death of Dag Hammarskjöld and of the members of the party accompanying him".

76th plenary meeting
24 December 2017

United Nations A/RES/72/253 A-B

General Assembly

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Seventy-second session
Agenda item 135

Resolutions adopted by the General Assembly on 24 December 2017

[on the report of the Fifth Committee (A/72/668)]

72/253. Programme budget for the biennium 2016–2017

A
Final budget appropriations for the biennium 2016–2017

The General Assembly

1. *Takes note* of the second performance report of the Secretary-General on the programme budget for the biennium 2016–2017,[1] and endorses the conclusions and recommendations contained in the related report of the Advisory Committee on Administrative and Budgetary Questions;[2]

2. *Resolves* that, for the biennium 2016–2017:

(a) The amount of 5,620,221,600 United States dollars appropriated by it in its resolution 71/272 A of 23 December 2016, 71/273 A of 23 December 2016 and 71/272 B of 6 April 2017 shall be increased by 62,557,400 dollars, to a final appropriation of 5,682,779,000 dollars, as follows:

Section		*Amount approved in resolutions 71/272 A, 71/273 A and 71/272 B*	*Increase/ (decrease)*	*Final appropriation*
		(United States dollars)		
	Part I. *Overall policymaking, direction and coordination*			
1.	Overall policymaking, direction and coordination	117 372 900	492 900	117 865 800
2.	General Assembly and Economic and Social Council affairs and conference management	631 101 500	4 262 900	635 364 400
	Subtotal, part I	**748 474 400**	**4 755 800**	**753 230 200**

[1] A/72/606.
[2] A/72/647.

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Section		*Amount approved in resolutions 71/272 A, 71/273 A and 71/272 B*	*Increase/ (decrease)*	*Final appropriation*
		(United States dollars)		
	Part II. *Political affairs*			
3.	Political affairs	1 346 045 300	(14 079 900)	1 331 965 400
4.	Disarmament	24 868 900	(94 700)	24 774 200
5.	Peacekeeping operations	109 648 400	3 001 700	112 650 100
6.	Peaceful uses of outer space	7 222 600	339 200	7 561 800
	Subtotal, part II	**1 487 785 200**	**(10 833 700)**	**1 476 951 500**
	Part III. *International justice and law*			
7.	International Court of Justice	45 814 700	1 333 300	47 148 000
8.	Legal affairs	61 539 600	15 144 500	76 684 100
	Subtotal, part III	**107 354 300**	**16 477 800**	**123 832 100**
	Part IV. *International cooperation for development*			
9.	Economic and social affairs	162 147 600	(1 615 400)	160 532 200
10.	Least developed countries, landlocked developing countries and small island developing States	10 763 000	(13 400)	10 749 600
11.	United Nations support for the New Partnership for Africa's Development	16 605 800	(605 900)	15 999 900
12.	Trade and development	138 422 200	686 500	139 108 700
13.	International Trade Centre	37 091 800	(512 100)	36 579 700
14.	Environment	37 097 300	5 540 500	42 637 800
15.	Human settlements	22 074 400	(129 100)	21 945 300
16.	International drug control, crime and terrorism prevention and criminal justice	37 232 300	3 807 300	41 039 600
17.	UN-Women	15 089 700	818 400	15 908 100
	Subtotal, part IV	**476 524 100**	**7 976 800**	**484 500 900**
	Part V. *Regional cooperation for development*			
18.	Economic and social development in Africa	153 449 100	(5 703 500)	147 745 600
19.	Economic and social development in Asia and the Pacific	95 411 400	1 884 600	97 296 000
20.	Economic development in Europe	65 938 500	3 804 600	69 743 100
21.	Economic and social development in Latin America and the Caribbean	106 931 000	3 579 000	110 510 000
22.	Economic and social development in Western Asia	70 088 300	3 738 400	73 826 700
23.	Regular programme of technical cooperation	59 432 000	(736 300)	58 695 700
	Subtotal, part V	**551 250 300**	**6 566 800**	**557 817 100**
	Part VI. *Human rights and humanitarian affairs*			
24.	Human rights	212 034 300	504 800	212 539 100
25.	International protection, durable solutions and assistance to refugees	85 362 600	(983 200)	84 379 400
26.	Palestine refugees	55 137 300	198 500	55 335 800
27.	Humanitarian assistance	36 946 100	321 600	37 267 700
	Subtotal, part VI	**389 480 300**	**41 700**	**389 522 000**

Section		*Amount approved in resolutions 71/272 A, 71/273 A and 71/272 B*	*Increase/ (decrease)*	*Final appropriation*
		(United States dollars)		
	Part VII. *Public information*			
28.	Public information	187 570 100	1 710 600	189 280 700
	Subtotal, part VII	**187 570 100**	**1 710 600**	**189 280 700**
	Part VIII. *Common support services*			
29A.	Office of the Under-Secretary-General for Management	22 710 900	1 227 100	23 938 000
29B.	Office of Programme Planning, Budget and Accounts	34 706 100	334 100	35 040 200
29C.	Office of Human Resources Management	70 288 300	207 300	70 495 600
29D.	Office of Central Support Services	166 996 300	7 376 200	174 372 500
29E.	Office of Information and Communications Technology	97 771 000	1 448 600	99 219 600
29F.	Administration, Geneva	139 377 900	6 399 700	145 777 600
29G.	Administration, Vienna	34 030 800	735 200	34 766 000
29H.	Administration, Nairobi	29 405 700	309 200	29 714 900
	Subtotal, part VIII	**595 287 000**	**18 037 400**	**613 324 400**
	Part IX. *Internal oversight*			
30.	Internal oversight	40 148 400	546 000	40 694 400
	Subtotal, part IX	**40 148 400**	**546 000**	**40 694 400**
	Part X. *Jointly financed administrative activities and special expenses*			
31.	Jointly financed administrative activities	11 503 600	729 000	12 232 600
32.	Special expenses	153 244 800	(4 291 500)	148 953 300
	Subtotal, part X	**164 748 400**	**(3 562 500)**	**161 185 900**
	Part XI. *Capital expenditures*			
33.	Construction, alteration, improvement and major maintenance	109 309 000	(153 900)	109 155 100
	Subtotal, part XI	**109 309 000**	**(153 900)**	**109 155 100**
	Part XII. *Safety and security*			
34.	Safety and security	238 283 400	13 085 800	251 369 200
	Subtotal, part XII	**238 283 400**	**13 085 800**	**251 369 200**
	Part XIII. *Development Account*			
35.	Development Account	28 398 800	–	28 398 800
	Subtotal, part XIII	**28 398 800**	**–**	**28 398 800**
	Part XIV. *Staff assessment*			
36.	Staff assessment	495 607 900	7 908 800	503 516 700
	Subtotal, part XIV	**495 607 900**	**7 908 800**	**503 516 700**
	Total	**5 620 221 600**	**62 557 400**	**5 682 779 000**

(b) The Secretary-General shall be authorized to transfer credits between sections of the budget, with the concurrence of the Advisory Committee;

(c) In addition to the appropriations approved under paragraph 2 (a) above, an amount of 75,000 dollars shall be appropriated for each year of the biennium 2016–2017 from the accumulated income of the Library Endowment Fund for the purchase of books, periodicals, maps and library equipment and for such other expenses of the Library at the Palais des Nations in Geneva as are in accordance with the objects and provisions of the endowment.

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B
Final income estimates for the biennium 2016–2017

The General Assembly

Resolves that, for the biennium 2016–2017:

(a) The estimates of income of 539,179,100 United States dollars approved by it in its resolutions 71/273 B of 23 December 2016 and 71/272 B of 6 April 2017 shall be increased by 14,496,500 dollars, as follows:

Income section	*Approved estimates of income*	*Increase/(decrease)*	*Revised estimates of income*
		(United States dollars)	
1. Income from staff assessment	500 007 900	7 467 200	507 475 100
2. General income	41 642 300	4 856 100	46 498 400
3. Services to the public	(2 471 100)	2 173 200	(297 900)
Total	**539 179 100**	**14 496 500**	**553 675 600**

(b) The income from staff assessment shall be credited to the Tax Equalization Fund in accordance with the provisions of General Assembly resolution 973 (X) of 15 December 1955;

(c) Direct expenses of the United Nations Postal Administration, services to visitors, catering and related services, garage operations, television services and the sale of publications not provided for under the budget appropriations shall be charged against the income derived from those activities.

76th plenary meeting
24 December 2017

United Nations A/RES/72/254

General Assembly

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Agenda item 141

Resolution adopted by the General Assembly on 24 December 2017

[*on the report of the Fifth Committee (A/72/667)*]

72/254. Human resources management

The General Assembly,

Recalling Articles 8, 97, 100 and 101 of the Charter of the United Nations,

Recalling also its resolutions 42/220 A of 21 December 1987, 49/222 A and B of 23 December 1994 and 20 July 1995, 51/226 of 3 April 1997, 52/219 of 22 December 1997, 52/252 of 8 September 1998, 53/221 of 7 April 1999, 55/258 of 14 June 2001, 57/305 of 15 April 2003, 58/285 of 8 April 2004, 58/296 of 18 June 2004, 59/266 of 23 December 2004, 59/287 of 13 April 2005, 60/1 of 16 September 2005, 60/238 of 23 December 2005, 60/254 of 8 May 2006, 60/260 of 8 May 2006, 61/244 of 22 December 2006, 61/276, section VIII, of 29 June 2007, 62/238, section XXI, of 22 December 2007, 62/248 of 3 April 2008, 63/250 of 24 December 2008, 63/271 of 7 April 2009, 65/247 of 24 December 2010, 66/234 of 24 December 2011, 67/255 of 12 April 2013, 68/252 of 27 December 2013, 68/265 of 9 April 2014, 70/244 of 23 December 2015, 70/286 of 17 June 2016 and 71/263 of 23 December 2016 and its other relevant resolutions and decisions,

Having considered the relevant reports of the Secretary-General on human resources management submitted to the General Assembly[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Having also considered the report of the Joint Inspection Unit on knowledge management in the United Nations system,[3] as well as the comments of the Secretary-General and of the United Nations System Chief Executives Board for Coordination thereon,[4]

[1] A/72/123, A/72/129/Rev.1 and A/72/209.
[2] A/72/558.
[3] A/72/325.
[4] A/72/325/Add.1.

17-23353 (E) 170118

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1. *Reaffirms* that the staff of the United Nations is an invaluable asset of the Organization, and commends its contribution to furthering the purposes and principles of the United Nations;

2. *Pays tribute* to the memory of all staff members who have lost their lives in the service of the Organization;

3. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[2] subject to the provision of the present resolution;

4. *Approves* the proposed amendments to the Staff Regulations and notes the amendments to the Staff Rules set out in the report of the Secretary-General,[3] subject to the provisions of the present resolution;

5. *Decides* that new staff rule 13.13 (c) proposed to implement the acquired right to normal retirement age shall read as follows:

> The mandatory age of separation of a staff member who reaches the age of 60 or 62 on or prior to 31 December 2017 shall not be reset to 65, including if that staff member is exceptionally retained in service beyond the mandatory age of separation of 60 or 62, as applicable, beyond 1 January 2018.

6. *Notes* the commitment to review and simplify the regulatory framework, and decides to defer any changes to regulation 3.6.

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[3] A/72/129/Rev.1.

United Nations A/RES/72/255

General Assembly

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Agenda item 143

Resolution adopted by the General Assembly on 24 December 2017

[*on the report of the Fifth Committee (A/72/666)*]

72/255. United Nations common system

The General Assembly,

Recalling its resolutions 44/198 of 21 December 1989, 51/216 of 18 December 1996, 52/216 of 22 December 1997, 53/209 of 18 December 1998, 55/223 of 23 December 2000, 56/244 of 24 December 2001, 57/283 of 20 December 2002, 58/251 of 23 December 2003, 59/268 of 23 December 2004, 60/248 of 23 December 2005, 61/239 of 22 December 2006, 62/227 of 22 December 2007, 63/251 of 24 December 2008, 64/231 of 22 December 2009, 65/248 of 24 December 2010, 66/235 A of 24 December 2011, 66/235 B of 21 June 2012, 67/257 of 12 April 2013, 68/253 of 27 December 2013, 69/251 of 29 December 2014, 70/244 of 23 December 2015 and 71/264 of 23 December 2016 and its decision 67/551 of 24 December 2012,

Having considered the report of the International Civil Service Commission for 2017,[1]

Reaffirming its commitment to a single, unified United Nations common system as the cornerstone for the regulation and coordination of the conditions of service of the United Nations common system,

Emphasizing the importance of, and benefits derived from, maintaining a coherent and unified United Nations common system,

Emphasizing also the obligation of all organizations of the United Nations common system to consult and cooperate fully and swiftly with the International Civil Service Commission on matters relating to remuneration and conditions of service,

1. *Takes note with appreciation* of the work of the International Civil Service Commission;

2. *Takes note* of the report of the Commission for 2017;

[1] *Official Records of the General Assembly, Seventy-second Session, Supplement No. 30* and corrigendum (A/72/30 and A/72/30/Corr.1).

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3. *Reaffirms* the role of the General Assembly in approving conditions of service and entitlements for all staff serving in the organizations of the United Nations common system, bearing in mind articles 10 and 11 of the statute of the Commission;[2]

4. *Recalls* articles 10 and 11 of the statute of the Commission, and reaffirms the central role of the Commission in regulating and coordinating conditions of service and entitlements for all staff serving in the organizations of the United Nations common system;

5. *Stresses* the importance of the United Nations common system, as established in the statute of the Commission, to ensure unity and parity across the United Nations;

6. *Notes with serious concern* that some organizations have decided not to implement the decisions of the Commission regarding the results of the cost-of-living surveys for 2016 and the mandatory age of separation;

7. *Calls upon* the United Nations common system organizations and staff to fully cooperate with the Commission in the application of the post adjustment system and implement its decisions regarding the results of the cost-of-living surveys and the mandatory age of separation without undue delay;

8. *Reminds* executive heads and governing bodies of the United Nations common system that failure to fully respect the decisions taken by the General Assembly on the Commission's recommendations could prejudice claims to enjoy the benefits of participation in the common system, including organizations' participation in the United Nations Joint Staff Pension Fund, as stated in article 3 (b) of the Fund's regulations;

9. *Requests* the Commission to recommend appropriate measures to deal with those organizations which do not cooperate fully with the Commission and to report thereon no later than at the seventy-fourth session of the General Assembly;

10. *Invites* the Secretary-General, in his capacity as Chair of the United Nations System Chief Executives Board for Coordination, to ensure that decisions of the General Assembly are implemented in full and without undue delay across the common system;

I
Conditions of service applicable to both categories of staff

A. Use of categories of staff, including General Service, National Professional Officer and Field Service

1. *Approves* the guidelines for the use of the National Professional Officer category, as recommended by the Commission in paragraph 48 (a) and annex II of its report;

2. *Invites* the organizations of the United Nations common system to abide by existing rules and regulations regarding short-term duty assignments without involving a change of duty station when deploying National Professional Officers outside the country of their employment;

3. *Underscores* the need for the organizations to respect the guidelines for the use of National Professional Officers in the context of short-term duty assignments, and in this regard calls upon the organizations to guard against repeated

[2] Resolution 3357 (XXIX), annex.

short-term duty assignments of National Professional Officers outside their country of recruitment;

B. Study on performance management and proposals on performance incentives

Recalling its resolution 70/244, by which it requested the Commission to review its recommendation contained in annex III of its report for 2015[1] and to study the budgetary and administrative arrangements necessary for the implementation thereof,

1. *Approves* the proposed principles and guidelines for performance appraisal and management for the recognition of different levels of performance, as recommended in paragraph 65 and annex VI of its report for 2017;

2. *Recommends* that the organizations utilize the aforementioned principles and guidelines for recognizing different levels of performance, including non-cash awards and addressing underperformance;

II
Conditions of service of staff in the Professional and higher categories

A. Base/floor salary scale

Recalling its resolution 44/198, by which it established a floor net salary level for staff in the Professional and higher categories by reference to the corresponding base net salary levels of officials in comparable positions serving at the base city of the comparator civil service (the United States federal civil service),

Approves, with effect from 1 January 2018, as recommended by the Commission in paragraph 97 of its report, the revised unified base/floor scale for staff in the Professional and higher categories, as contained in annex VII to that report;

B. Evolution of the margin and margin management around the desirable midpoint

Recalling section I.B of its resolution 51/216 and the standing mandate from the General Assembly, in which the Commission is requested to continue its review of the relationship between the net remuneration of the United Nations staff in the Professional and higher categories in New York and that of the comparator civil service (the United States federal civil service) employees in comparable positions in Washington, D.C. (referred to as "the margin"),

1. *Reaffirms* that the range of 110 to 120 for the margin between the net remuneration of officials in the Professional and higher categories of the United Nations in New York and officials in comparable positions in the comparator civil service should continue to apply, on the understanding that the margin would be maintained at a level around the desirable midpoint of 115 over a period of time;

2. *Notes* that the margin between net remuneration of the United Nations staff in grades P-1 to D-2 in New York and that of officials in comparable positions in the United States federal civil service in Washington, D.C., for the period from 1 January to 31 December 2017 is 113.7;

3. *Recalls* its decision contained in resolution 70/244 that, if the margin trigger levels of 113 or 117 are breached, the Commission should take appropriate action through the operation of the post adjustment system;

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[1] *Official Records of the General Assembly, Seventieth Session, Supplement No. 30* (A/70/30).

4. *Notes* the decision of the Commission to continue to monitor the level of the margin and to take the necessary corrective action under the operation of the post adjustment system should the trigger levels of 113 or 117 be breached;

C. Post adjustment issues

1. *Notes* the efforts by the Commission to improve the post adjustment system;

2. *Requests* the Commission to report no later than at the seventy-fourth session of the General Assembly on the implementation of decisions of the Commission regarding the results of the cost-of-living surveys for 2016, including any financial implications;

3. *Also requests* the Commission to continue its efforts to improve the post adjustment system in order to minimize any gap between the pay indices and the post adjustment indices and, in this context, to consider the feasibility of more frequent reviews of post adjustment classifications of duty stations;

4. *Further requests* the Commission to review the gap closure measure in the post adjustment system during its next round of cost-of-living surveys;

D. Report on diversity, including gender balance and geographical distribution in the United Nations common system

1. *Requests* the Commission to continue to provide information to the General Assembly on the progress made by organizations of the United Nations common system in the implementation of existing gender policies and measures towards achieving the goal of 50/50 gender balance and strengthening geographical diversity within the common system, including at senior levels;

2. *Also requests* the Commission to continue to monitor the age distribution of the workforce and to report thereon to the General Assembly.

76th plenary meeting
24 December 2017

United Nations A/RES/72/256

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Resolution adopted by the General Assembly on 24 December 2017

[*on the report of the Fifth Committee (A/72/665)*]

72/256. Administration of justice at the United Nations

The General Assembly,

Recalling section XI of its resolution 55/258 of 14 June 2001 and its resolutions 57/307 of 15 April 2003, 59/266 of 23 December 2004, 59/283 of 13 April 2005, 61/261 of 4 April 2007, 62/228 of 22 December 2007, 63/253 of 24 December 2008, 64/233 of 22 December 2009, 65/251 of 24 December 2010, 66/237 of 24 December 2011, 67/241 of 24 December 2012, 68/254 of 27 December 2013, 69/203 of 18 December 2014, 70/112 of 14 December 2015 and 71/266 of 23 December 2016,

Having considered the reports of the Secretary-General on administration of justice at the United Nations[1] and on the activities of the Office of the United Nations Ombudsman and Mediation Services,[2] the report of the Internal Justice Council on administration of justice at the United Nations[3] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[4] as well as the letter dated 26 October 2017 from the President of the General Assembly to the Chair of the Fifth Committee,[5]

1. *Takes note* of the reports of the Secretary-General on administration of justice at the United Nations[1] and on the activities of the Office of the United Nations Ombudsman and Mediation Services,[2] the report of the Internal Justice Council on administration of justice at the United Nations[3] and the related report of the Advisory Committee on Administrative and Budgetary Questions;[4]

2. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee, subject to the provisions of the present resolution;

[1] A/72/204.
[2] A/72/138.
[3] A/72/210.
[4] A/72/7/Add.19.
[5] A/C.5/72/10.

17-23355 (E) 170118

Please recycle

I
System of administration of justice

3. *Emphasizes* the importance of the principle of judicial independence in the system of administration of justice;

4. *Stresses* the importance of ensuring access for all staff members to the system of administration of justice, regardless of their duty station;

5. *Acknowledges* the evolving nature of the system of administration of justice and the need to carefully monitor its implementation to ensure that it remains within the parameters set out by the General Assembly;

6. *Reaffirms* its decision, contained in paragraph 4 of its resolution 61/261, to establish a new, independent, transparent, professionalized, adequately resourced and decentralized system of administration of justice consistent with the relevant rules of international law and the principles of the rule of law and due process to ensure respect for the rights and obligations of staff members and the accountability of managers and staff members alike;

7. *Notes with appreciation* the achievements of the system of administration of justice, while recognizing that there is still room for further improvement;

8. *Notes* that staff still appear to have limited awareness of the system of administration of justice, and encourages the system of administration of justice to continue its outreach and other awareness-raising campaign efforts;

9. *Takes note* of paragraph 17 of the report of the Internal Justice Council, and encourages the Secretary-General and the Office of Human Resources Management to ensure that staff have a more comprehensive understanding of the rules, regulations, instructions and administrative issuances dealing with human resources, including information on benefits and entitlements;

10. *Urges* the Secretariat to further strengthen and increase its outreach activities with a view to providing information on the role and functioning of the various parts of the system and the possibilities it offers to address work-related complaints, paying particular attention to field missions and offices;

11. *Recalls* paragraph 27 of its resolution 71/266, and further stresses the importance of establishing and implementing a comprehensive outreach and communication strategy for all staff members covered under the formal and informal parts of the system of administration of justice;

12. *Notes* the ongoing efforts to strengthen the policy on protection against retaliation for reporting misconduct and for cooperating with duly authorized audits or investigations;[6]

13. *Notes with concern* the observations of the Internal Justice Council related to protection against retaliation for staff members who lodge cases before the Tribunals or who appear as witnesses, and requests the Secretary-General to present a comprehensive analysis of all existing policies and provide recommendations on ways to improve protections for such staff members at its seventy-third session;

[6] ST/SGB/2017/2/Rev.1.

II
Informal system

14. *Recognizes* that the informal system of administration of justice is an efficient and effective option both for staff who seek redress of grievances and for the participation of managers;

15. *Reaffirms* that the informal resolution of conflict is a crucial element of the system of administration of justice, emphasizes that all possible use should be made of the informal system in order to avoid unnecessary litigation, without prejudice to the basic right of staff members to access the formal system, and encourages recourse to the informal resolution of disputes;

16. *Welcomes with appreciation* the high resolution rate of cases mediated, encourages the Office of the United Nations Ombudsman and Mediation Services to continue its efforts in informal dispute resolution, and requests the Secretary-General to continue to provide detailed information on the activities of the Office, including statistical overviews of mediated cases;

17. *Requests* the Secretary-General to include information and recommendations on the overall results of the staff survey as they relate to staff perceptions of workplace conflict in the next report on the activities of the Office of the United Nations Ombudsman and Mediation Services;

18. *Encourages* the Office of the United Nations Ombudsman and Mediation Services to intensify its outreach activities to encourage informal dispute resolution;

19. *Recognizes* the efforts of the Office of the United Nations Ombudsman and Mediation Services in enhancing efforts aimed at the informal resolution of conflict, and requests the Secretary-General to continue to provide more detailed information in his next report to the General Assembly on the impact of conflict prevention training and on efforts to further enhance cooperation between the informal and formal parts of the system of administration of justice;

20. *Welcomes* the analysis of the root causes of conflict included in the report of the Secretary-General on the activities of the Office of the United Nations Ombudsman and Mediation Services, stresses the importance of improving management performance and staff communications, and urges the Secretary-General to continue to address the systemic issues identified in the report in order to improve upon the policies and procedures of the Organization;

21. *Recalls* paragraph 33 of the report of the Advisory Committee, and requests the Secretary-General to provide information on policy changes resulting from the effort of the Office of the United Nations Ombudsman and Mediation Services to help to resolve systemic issues in his future reports;

22. *Also recalls* paragraph 47 of its resolution 71/266, and notes that no formal proposal for additional resources to increase the activities of the Office of the United Nations Ombudsman and Mediation Services was included in the reports of the Secretary-General;

23. *Further recalls* paragraph 36 of the report of the Advisory Committee, and reiterates the continued importance of the informal part of the system of administration of justice;

III
Formal system

24. *Recognizes* the ongoing positive contribution of the Office of Staff Legal Assistance to the system of administration of justice;

25. *Requests* the Secretary-General to continue to track the data on the number of cases received by the Management Evaluation Unit and the United Nations Dispute Tribunal in order to identify any emerging trends and to include his observations on those statistics in future reports;

26. *Also requests* the Secretary-General to continue to ensure the accountability of managers whose decisions have been established to be grossly negligent, according to the applicable Staff Regulations and Rules of the United Nations, and which have led to litigation and subsequent financial loss, and to report thereon to the General Assembly at its seventy-third session;

27. *Decides* to extend the experimental period for one year, from 1 January to 31 December 2018, and requests the Secretary-General to provide further information, in consultation with the relevant stakeholders, regarding the implications of the regularization of the voluntary staff funding mechanism in order to take a decision on the issue of the financing of the Office of Staff Legal Assistance at its seventy-third session;

28. *Underscores* that regularizing the voluntary staff funding mechanism, if approved, shall not affect the nature of the funding of the Office of Staff Legal Assistance;

29. *Notes* the continuing high opt-out rates from the voluntary staff funding mechanism, and in this regard encourages the Secretary-General to continue to strengthen incentives for staff not to opt out, particularly in locations where the participation rate is low;

30. *Stresses* the need to continue to explore means to raise awareness among staff of the importance of financial contributions to the Office of Staff Legal Assistance;

31. *Requests* the Secretary-General to continue to collect and examine data relating to staff contributions to the Office of Staff Legal Assistance, including location data of opt-out rates, and to report thereon to the General Assembly at the main part of its seventy-third session;

32. *Decides* to extend the three ad litem judge positions and the current incumbent judges, as well as to extend the six current temporary staff positions supporting these judges, for one year, from 1 January to 31 December 2018, and requests the Secretary-General to provide further information, in consultation with the relevant stakeholders, regarding the implication of the establishment of three new permanent judges in the Dispute Tribunal, in order for a decision to be taken on this issue, at the seventy-third session of the General Assembly;

33. *Recalls* paragraphs 25 and 26 of the report of the Advisory Committee, and approves the payment of 600 United States dollars per interlocutory motion adjudicated by a United Nations Appeals Tribunal judge as well as the payment of a stipend to the President of the Tribunal in the amount of 1,500 dollars per month, starting on 1 January 2018;

34. *Welcomes* further views of the Internal Justice Council in its next report to the General Assembly on possible ways to continue to ensure the independence of the Tribunals;

35. *Notes* the continuing high degree of self-representation before the Dispute Tribunal, and in this regard requests the Secretary-General to undertake an analysis within existing resources on this issue, and to report thereon at its seventy-third session;

IV
Other issues

36. *Stresses* that the Internal Justice Council can help to ensure independence, professionalism and accountability in the system of administration of justice, and requests the Secretary-General to entrust the Council with including the views of both the Dispute Tribunal and the Appeals Tribunal in its reports;

37. *Invites* the Sixth Committee to consider the legal aspects of the report to be submitted by the Secretary-General, without prejudice to the role of the Fifth Committee as the Main Committee entrusted with responsibilities for administrative and budgetary matters;

38. *Requests* the Secretary-General to prepare, from within existing resources, and with a view to informing the discussion at the seventy-third session of the General Assembly, a comprehensive analysis of the information provided in annex II to his report on administration of justice at the United Nations on the remedies available to non-staff personnel.

76th plenary meeting
24 December 2017

United Nations A/RES/72/257

General Assembly

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Seventy-second session
Agenda item 147

Resolution adopted by the General Assembly on 24 December 2017

[on the report of the Fifth Committee (A/72/664)]

72/257. Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

Having considered the second performance report of the Secretary-General on the budget of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 for the biennium 2016–2017,[1] the related report of the Advisory Committee on Administrative and Budgetary Questions,[2] the financial report and audited financial statements for the year ended 31 December 2016 and the report of the Board of Auditors on the International Tribunal for the Former Yugoslavia[3] and the recommendations contained therein,

Recalling its resolution 47/235 of 14 September 1993 on the financing of the International Tribunal for the Former Yugoslavia and its subsequent resolutions thereon, the latest of which were resolutions 70/242 of 23 December 2015 and 71/268 of 23 December 2016,

1. *Takes note* of the second performance report of the Secretary-General on the budget of the International Tribunal for the Former Yugoslavia for the biennium 2016–2017;[1]

2. *Endorses* the conclusions and recommendations contained in section II of the report of the Advisory Committee on Administrative and Budgetary Questions;[2]

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[1] A/72/603.
[2] A/72/654.
[3] *Official Records of the General Assembly, Seventy-second Session, Supplement No. 5N* (A/72/5/Add.14).

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3. *Resolves* that, for the biennium 2016–2017, the amount of 98,064,000 United States dollars gross (86,917,900 dollars net) approved in its resolution 71/268 for the financing of the Tribunal shall be adjusted by the amount of 7,715,400 dollars gross (6,360,000 dollars net), for a total amount of 105,779,400 dollars gross (93,277,900 dollars net);

4. *Decides*, for the year 2017, to apportion among Member States, in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year, the amount of 28,952,925 dollars gross (25,382,800 dollars net), including 3,902,700 dollars gross (3,225,000 dollars net), being the increase in assessments;

5. *Also decides*, for the year 2017, to apportion among Member States, in accordance with the scale of assessments applicable to peacekeeping operations of the United Nations for the year, the amount of 28,952,925 dollars gross (25,382,800 dollars net), including 3,902,700 dollars gross (3,225,000 dollars net), being the increase in assessments;

6. *Further decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 4 and 5 above, their respective share in the Tax Equalization Fund in the amount of 7,140,250 dollars, including 1,355,400 dollars, being the increase of the estimated staff assessment income approved for the Tribunal for the biennium 2016–2017.

76th plenary meeting
24 December 2017

Annex

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 for the biennium 2016–2017

	Gross	*Net of staff assessment*
	(United States dollars)	
Revised appropriation for the biennium 2016–2017	98 064 000	86 917 900
Second performance report for 2016–2017	7 715 400	6 360 000
Recommendations of the Advisory Committee on Administrative and Budgetary Questions	–	–
Recommendations of the Fifth Committee	–	–
Estimated final appropriation for the biennium 2016–2017	**105 779 400**	**93 277 900**
Less: estimated income for the biennium 2016–2017	(90 000)	(90 000)
Amount to be assessed for the biennium 2016–2017, net of estimated income	**105 689 400**	**93 187 900**
Assessment for 2016	47 783 550	42 422 300
Assessment for 2017	50 100 450	44 315 600
Balance to be assessed for 2016–2017	**7 805 400**	**6 450 000**

Of which:		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations	3 902 700	3 225 000
Contributions assessed on Member States in accordance with the scale of assessments applicable to peacekeeping operations of the United Nations	3 902 700	3 225 000

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Agenda item 148

Resolution adopted by the General Assembly on 24 December 2017

[*on the report of the Fifth Committee* (A/72/669)]

72/258. Financing of the International Residual Mechanism for Criminal Tribunals

The General Assembly,

I

Second performance report on the budget of the International Residual Mechanism for Criminal Tribunals for the biennium 2016–2017

Having considered the second performance report of the Secretary-General on the budget of the International Residual Mechanism for Criminal Tribunals for the biennium 2016–2017,[1] the related report of the Advisory Committee on Administrative and Budgetary Questions,[2] the financial reports and audited financial statements for the year ended 31 December 2016 and the reports of the Board of Auditors on the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994[3] and on the International Residual Mechanism for Criminal Tribunals[4] and the recommendations contained therein,

Recalling its resolution 66/240 A of 24 December 2011 on the financing of the International Residual Mechanism for Criminal Tribunals and its subsequent resolutions thereon, the latest of which were resolutions 70/243 of 23 December 2015 and 71/269 of 23 December 2016, as well as its resolution 71/267 of 23 December 2016 on the financing of the International Criminal Tribunal for Rwanda,

[1] A/72/604.
[2] A/72/654.
[3] *Official Records of the General Assembly, Seventy-second Session, Supplement No. 5M* (A/72/5/Add.13).
[4] Ibid., *Supplement No. 5O* (A/72/5/Add.15).

Please recycle

1. *Takes note* of the second performance report of the Secretary-General on the budget of the International Residual Mechanism for Criminal Tribunals for the biennium 2016–2017;[5]

2. *Endorses* the conclusions and recommendations contained in section III.A of the report of the Advisory Committee on Administrative and Budgetary Questions;[6]

3. *Resolves* that, for the biennium 2016–2017, the amount of 135,747,700 United States dollars gross (125,153,500 dollars net) approved in its resolution 71/269 for the financing of the Mechanism shall be adjusted by the amount of 3,781,600 dollars gross (4,568,800 dollars net), for a total amount of 131,966,100 dollars gross (120,584,700 dollars net).

II
Budget for the International Residual Mechanism for Criminal Tribunals for the biennium 2018–2019

Having considered the reports of the Secretary-General on the budget for the International Residual Mechanism for Criminal Tribunals for the biennium 2018–2019[5] and on the revised estimates arising from the effects of changes in rates of exchange and inflation,[6]

Having also considered the related reports of the Advisory Committee on Administrative and Budgetary Questions,[7]

1. *Takes note* of the reports of the Secretary-General on the budget for the International Residual Mechanism for Criminal Tribunals for the biennium 2018–2019[5] and on the revised estimates arising from the effects of changes in rates of exchange and inflation;[6]

2. *Endorses* the conclusions and recommendations contained in the reports of the Advisory Committee on Administrative and Budgetary Questions,[7] subject to the provisions of the present resolution;

3. *Authorizes* the Secretary-General to enter into commitments in an amount not to exceed 87,796,600 dollars gross (79,993,400 dollars net) for the maintenance of the Mechanism for the one-year period from 1 January to 31 December 2018;

4. *Decides* that the total assessment for the one-year period from 1 January to 31 December 2018 under the Special Account for the International Residual Mechanism for Criminal Tribunals amounting to 84,015,000 dollars shall consist of:

(a) 87,796,600 dollars, being the amount of commitment authority for the period from 1 January to 31 December 2018;

(b) Less 3,781,600 dollars, being the decrease in the final appropriation for the biennium 2016–2017, approved by the General Assembly in paragraph 3 of section I above;

5. *Also decides* to apportion the amount of 42,007,500 dollars gross (37,712,300 dollars net) among Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2018;

6. *Further decides* to apportion the amount of 42,007,500 dollars gross (37,712,300 dollars net) among Member States in accordance with the scale of assessments applicable to peacekeeping operations of the United Nations for 2018;

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[5] A/72/396 and A/72/396/Corr.1.

[6] A/72/641.

[7] A/72/654 and A/72/7/Add.36.

7. *Decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 5 and 6 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income in the amount of 8,590,400 dollars approved for the Mechanism for 2018.

76th plenary meeting
24 December 2017

Annex

Financing of the International Residual Mechanism for Criminal Tribunals: commitment authority for 2018

	Gross	*Net of staff assessment*
	(United States dollars)	
Estimated appropriation for the biennium 2018–2019	228 029 300	206 498 100
Revised estimates: effects of changes in rates of exchange and inflation	4 713 900	3 890 100
Recommendations of the Advisory Committee on Administrative and Budgetary Questions	(232 743 200)	(210 388 200)
Recommendations of the Fifth Committee for a commitment authority from 1 January to 31 December 2018	87 796 600	79 993 400
Total amount of commitment authority for 2018	**87 796 600**	**79 993 400**
Less:		
Requirements arising from the final appropriation for the biennium 2016–2017	3 781 600	4 568 800
Net amount for 2018	**84 015 000**	**75 424 600**
Including:		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2018	42 007 500	37 712 300
Contributions assessed on Member States in accordance with the scale of assessments applicable to peacekeeping operations of the United Nations for 2018	42 007 500	37 712 300

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General Assembly

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Agenda item 163

Resolution adopted by the General Assembly on 24 December 2017

[*on the report of the Fifth Committee (A/72/671)*]

72/259. Financing of the African Union-United Nations Hybrid Operation in Darfur

The General Assembly,

Having considered the report of the Secretary-General on the financing of the African Union-United Nations Hybrid Operation in Darfur[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Recalling Security Council resolution 1769 (2007) of 31 July 2007, by which the Council established the African Union-United Nations Hybrid Operation in Darfur for an initial period of 12 months from 31 July 2007, and the subsequent resolutions by which the Council extended the mandate of the Operation, the latest of which was resolution 2363 (2017) of 29 June 2017, by which the Council extended the mandate of the Operation until 30 June 2018,

Recalling also its resolution 62/232 A of 22 December 2007 on the financing of the Operation and its subsequent resolutions thereon, the latest of which was resolution 71/310 of 30 June 2017,

Mindful of the importance of the appropriate distribution of tasks between the Operation and the United Nations country team, including with regard to the mediation process, protection of civilians, community stabilization and support for the implementation of provisions of the Doha Document for Peace in Darfur,

1. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[2] subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

[1] A/72/563.
[2] A/72/636.

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2. *Decides* to abolish 4 posts in the Khartoum Liaison Office and to redeploy 10 posts from that Office to the Political Affairs Section and the State and Liaison Offices, as appropriate;

Revised budget estimates for the period from 1 July 2017 to 30 June 2018

3. *Decides* to appropriate to the Special Account for the African Union-United Nations Hybrid Operation in Darfur the amount of 910,941,200 United States dollars for the maintenance of the Operation for the period from 1 July 2017 to 30 June 2018, inclusive of the amount of 486,000,000 dollars previously authorized for the Operation for the period from 1 July to 31 December 2017 under the terms of its resolution 71/310;

Financing of the appropriation

4. *Decides*, taking into account the amount of 486,000,000 dollars already apportioned under the terms of its resolution 71/310 for the period from 1 July to 31 December 2017, to apportion among Member States the additional amount of 424,941,200 dollars for the maintenance of the Operation for the period from 1 July 2017 to 30 June 2018, in accordance with the levels updated in its resolution 70/246 of 23 December 2015, taking into account the scale of assessments for 2017 and 2018, as set out in its resolution 70/245 of 23 December 2015;

5. *Also decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 4 above, their respective share in the Tax Equalization Fund of 11,805,700 dollars, representing the balance of the estimated staff assessment income of 24,164,600 dollars approved for the Operation for the period from 1 July 2017 to 30 June 2018;

6. *Further decides* to keep under review, during its seventy-second session, the item entitled "Financing of the African Union-United Nations Hybrid Operation in Darfur".

76th plenary meeting
24 December 2017

United Nations A/RES/72/260

General Assembly

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12 January 2018

Seventy-second session
Agenda item 165

Resolution adopted by the General Assembly on 24 December 2017

[*on the report of the Fifth Committee (A/72/670)*]

72/260. Financing of the United Nations Mission for Justice Support in Haiti

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Mission for Justice Support in Haiti[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Recalling Security Council resolution 2350 (2017) of 13 April 2017, by which the Council established the United Nations Mission for Justice Support in Haiti, as a follow-on peacekeeping mission in Haiti, for an initial period of six months from 16 October 2017 to 15 April 2018,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in its resolutions 1874 (S-IV) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Mission with the financial resources necessary to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of its resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006, 61/276 of 29 June 2007, 64/269 of 24 June 2010, 65/289 of 30 June 2011, 66/264 of 21 June 2012, 69/307 of 25 June 2015 and 70/286 of 17 June 2016, as well as other relevant resolutions;

[1] A/72/560.
[2] A/72/642.

Please recycle

2. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

3. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

4. *Requests* the Secretary-General to ensure that proposed peacekeeping budgets are based on the relevant legislative mandates;

5. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[2] subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

6. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of its resolutions 59/296, 60/266, 61/276, 64/269, 65/289, 66/264, 69/307 and 70/286;

7. *Also requests* the Secretary-General to take all action necessary to ensure that the United Nations Mission for Justice Support in Haiti is administered with a maximum of efficiency and economy;

Budget estimates for the period from 16 October 2017 to 30 June 2018

8. *Decides* to continue to use the Special Account established in accordance with its resolution 58/311 of 18 June 2004 for the United Nations Stabilization Mission in Haiti, beginning on 16 October 2017;

9. *Also decides* to appropriate to the Special Account for the United Nations Mission for Justice Support in Haiti the amount of 88,111,200 United States dollars for the establishment and the maintenance of the Mission for the period from 16 October 2017 to 30 June 2018, inclusive of the amount of 25,000,000 dollars previously authorized by the Advisory Committee for the Mission under the terms of General Assembly resolution 64/269, section VI;

Financing of the appropriation

10. *Decides* to apportion among Member States the amount of 62,196,100 dollars for the maintenance of the Mission for the period from 16 October 2017 to 15 April 2018, in accordance with the levels updated in its resolution 70/246 of 23 December 2015, taking into account the scale of assessments for 2017 and 2018, as set out in its resolution 70/245 of 23 December 2015;

11. *Also decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 10 above, their respective share in the Tax Equalization Fund of 1,666,700 dollars, representing the estimated staff assessment income approved for the Mission;

12. *Further decides* to apportion among Member States the amount of 25,915,100 dollars for the period from 16 April to 30 June 2018, at a monthly rate of 10,366,040 dollars, in accordance with the levels updated in its resolution 70/246, taking into account the scale of assessments for 2018, as set out in its resolution 70/245, subject to a decision of the Security Council to extend the mandate of the Mission;

13. *Decides* that, in accordance with the provisions of its resolution 973 (X), there shall be set off against the apportionment among Member States, as provided

for in paragraph 12 above, their respective share in the Tax Equalization Fund of 694,400 dollars, representing the estimated staff assessment income approved for the Mission;

14. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

15. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel participating in the Mission under the auspices of the United Nations, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502 (2003) of 26 August 2003;

16. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

17. *Decides* to keep under review during its seventy-second session the item entitled "Financing of the United Nations Mission for Justice Support in Haiti".

76th plenary meeting
24 December 2017